

1 WILLIAM C. DRESSER, SBN 104375  
2 LAW OFFICES OF WILLIAM C. DRESSER  
3 14125 Capri Drive, Suite 4  
4 Los Gatos, California 95032  
5 Telephone: (408) 279-7529  
6 Facsimile: (408) 668-2990  
7 Email: loofwcd@aol.com

8 Attorneys for Plaintiffs

9 UNITED STATES DISTRICT COURT  
10  
11 NORTHERN DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA, ex rel.  
13 GREGOR LESNIK; STJEPAN PAPES,

14 Plaintiffs,

15 vs.

16 EISENMANN SE, et al.

17 Defendants.

Case No.: 5:16-cv-01120-BLF

Declaration of William C. Dresser in Support  
of Renewed Motion for Recovery of Fees to  
Plaintiff Stjepan Papes on Claim 9

Date: October 26, 2023  
Time: 9:00 a.m.  
Ctmm: 3, 5<sup>th</sup> Floor  
Judge: Hon. Beth Labson Freeman

18 I, William C. Dresser, certify and declare as follows:

- 19 1. I am an attorney at law, duly authorized to practice in, among other venues, Northern  
20 District of California, before all the courts of the State of California, as well as federal  
21 courts in the Eastern District of California, the Central District of California, and the  
22 Ninth Circuit Court of Appeals, as well as many bankruptcy courts. I am counsel of  
23 record for Plaintiff Stjepan Papes and the putative class.
- 24 2. I have personal knowledge of all facts stated in this declaration, and if called testify, I  
25 can and would testify competently thereto.
- 26 3. This request for fees is made on behalf of prevailing party Plaintiff Stjepan Papes for  
27 relief granted under the Ninth Cause of Action (Trafficking and Coerced Labor under  
28

1 TVPRA, 18 U.S.C. § 1595 ("and may recover damages and reasonable attorneys  
2 fees.")) It is filed pursuant to this Court's May 30, 2023 Order which, among other  
3 things, granted a motion for reconsideration to allow a renewed motion for attorneys'  
4 fees, limited to those fees incurred in connection with Claims 9 (ECF #617).

- 5 4. Papes by this declaration and the accompanying motion provides the information  
6 regarding attorney's fees to support that award for Claim 9, the TVPA coerced labor  
7 claim.  
8
- 9 5. This request is for a specific amount of attorney's fees, and this declaration stating the  
10 services rendered by each person for whom fees are requested and a brief description  
11 of their relevant qualifications as is required by Civil Local Rule 54-5(b)(2)-(3).  
12
- 13 6. I received information about Stjepan Papes starting in September of 2015. Stjepan  
14 Papes began providing information to me on May 18, 2016. This included to support  
15 wage and hour claims on behalf of a potential class, and information about the Vuzem  
16 related persons. He began providing information to me on March 6, 2017 to support a  
17 TVPA claim. Mr. Papes executed an Attorney Retainer Agreement on June 17, 2017,  
18 in which I agreed to represent Mr. Papes.
- 19 7. Plaintiff Papes commenced his individual requests for relief in the July 19, 2017 filed  
20 Second Amended Complaint which I filed in the within US District Court for the  
21 Northern District of California action no. C16-1120-LHK entitled "United States of  
22 America, ex rel. Gregor Lesnik, Stjepan Papes, Plaintiffs, vs. Eisenmann SE, et al."  
23
- 24 8. The Coerced Labor claim for which there was an Order issued granting Judgment is  
25 stated in both the July 19, 2017 filed Second Amended Complaint and in the October  
26 31, 2018 filed "Third Amended Complaint for Damages and Other Relief under the  
27 False Claims Act and Other Claims Including Individual, Collective and Class Wages  
28

Claims, Individual and Class Labor Trafficking Claims, and RICO Claims - Class Action."

9. I obtained substantial information about the Vuzem persons and their actions generally and in the United States and in California at Tesla prior to this time, much of which was was used in connection with Claim 9, the TVPA coerced labor claim.

10. I, along with Gregor Lesnik, met in person on June 16, 2016 at the USAG's Office, 450 Golden Gate Avenue, San Francisco. We met with representatives from among other institutions the USAG, Department of Homeland Security, Department of State Diplomatic Security Office, and the United States Department of Labor, Wage and Hour Division. I was specifically told at that meeting to do nothing, and to file no further pleadings on behalf of Mr. Lesnik or any other affected individual so as to not draw any attention to the government's investigation. I was specifically told that the government would investigate this matter, would determine the extent that it would intervene, and would pursue a wages-based claim on behalf of all affected workers who had not been paid.

11. I received a further call on June 17, 2016 from AUSAG Melanie Proctor directing me to not pursue other claims, such as class action wages claims, that Michael Eastwood's office with the U.S. Department of Labor, Wage and Hour Division, can and would handle the wages claims, and that this was required so that it would not complicate what they are doing.

12. While the visa fraud claims were under seal, Plaintiffs could not pursue their employment related claims through a separate complaint without risking revealing material that was included in the sealed complaint.

13. I received no information from the government about its investigation or analysis or

1 pending actions until April of 2017. I at that time was advised by the government, by  
2 then Assistant United States Attorney General Melanie Proctor that the government  
3 would not intervene in the within action on the FCA claim. I had no advance notice of  
4 this intended decision or decision. I was very surprised.

5 14. I then in the spring and summer of 2017 commenced further investigation and analysis  
6 of the facts and potential claims including for a TVPA coerced labor claim.

7 15. I filed in the within US District Court for the Northern District of California action no.  
8 C16-1120-LHK on July 19, 2017 a Second Amended Complaint for Damages and  
9 Other Relief. This is the pleading which added a TVPA coerced labor claim for  
10 damages for Plaintiff Stjepan Papes.

11 16. I had in the four months prior to filing in July of 2017 the Second Amended Complaint  
12 in this case, and have in the almost five years thereafter, actively pursued the TVPA  
13 coerced labor claim for the benefit of Stjepan Papes.

14 17. Mr. Papes was the initial and primary source of obtaining the information to create a  
15 list, with names, contact information, and other information, of co-employees..

16 18. Mr. Papes provided copies of employment contracts, confidential company records of  
17 workers hours, co-worker summaries of hours worked, Slovenian and Croatian tax  
18 records, passports, visas, security cards for entries to work sites, witness statements,  
19 social network posts, and payment summaries. Some of these documents Mr. Papes  
20 had in his possession. Many of them he obtained from other co-workers and provided  
21 to me.

22 19. I expended more than a thousand hours developing the facts of this case by meeting  
23 with, innumerable and lengthy telephone calls, skype calls, and e-mails with Stjepan  
24 Papes and many other witnesses, written and oral communications with other  
25  
26  
27  
28



1 employees and former employees of Vuzem persons, development of employee lists  
2 with address and contact information, and other independent investigation. I have  
3 engaged in most of these communications with the assistance of Elma Fazlic Dresser,  
4 Danijel Travancic, and occasionally others who are fluent in both English and the  
5 Serbo-Croatian languages.

6 20. Though Stjepan Papes understands and speaks English, English is not his native  
7 language and he is not completely fluent in English. Very few of the witnesses and co-  
8 workers who I obtained information from or communicated with are conversant in  
9 English. Many of the documents in this matter were written in the Serbo-Croatian  
10 language groups. This required substantial translations, translators, and interpreters.  
11 This was both time consuming and increased the costs of litigation.  
12

13 21. I conducted hundreds of hours in research and development of legal theories and  
14 analysis. I spoke with many attorneys and other consultants about employment based  
15 claims. Those who I spoke with specifically concerning TVPA coerced labor claims  
16 include Odvetnik Marjan Aleksic, attorneys Hatixë Grbeshi, Michael Hancock, James  
17 Kealey, Martina Vandenberg, Ruth Silver Taube, and Walter H. Walker, III.  
18

19 22. This followed my investigation and work product efforts prior to June of 2016 in my  
20 representation of Gregor Lesnik as an individual for personal injury claims based on a  
21 fall while working for Vuzem persons at the Tesla jobsite.  
22

23 23. I conducted the long process of serving the Second Amended and the Third Amended  
24 Complaints on the defendants.

25 24. This office caused the Second Amended Complaint to be translated into Slovenian. I  
26 also caused it to be translated into German, Croatian and Polish. Only that for  
27 Slvovenian and Croatian are related to the TVPA Claim 9.  
28

25. This office on behalf of Plaintiffs Lesnik and Papes mailed waivers of service to each of the defendants against whom default judgments are sought, initially as to the Second Amended Complaint and later after its filing the Third Amended Complaint.

26. This office caused to be served on the defendants against whom default judgments are sought the Second Amended Complaint. This includes locating and retaining translators Link Translations, and Sandra Bozic, paying for and obtaining translations of pleadings, investigation of individuals and entities including Odvetnik Luka Divjak, FOKUS d.o.o., Process Service Network, and Process Server One that can and did serve the defendants by permissible means in Croatia and in Slovenia, and obtaining proofs of service and filing the same as part of detailed requests for entries of default.

27. This also included translations and service for other defendants and other countries, including Germany and Poland. These were not related to the TVPA Claim 9.

28. This office caused the Third Amended Complaint and an Order after Hearing to be translated into Slovenian, by Ana Rostohar, who in her March 26, 2021 Declaration states that she is a registered translator and interpreter for the Slovenian language to and from English. I, with the assistance of others who are native Slovenians, Croatians and Bosnians, translated the Summons into Slovenian.

29. Service on inactive entity defendant ISM Vuzem USA, Inc. was completed pursuant to Order of February 5, 2019 which allowed Plaintiffs and Relators to serve ISM Vuzem USA Inc. by service by registered or certified mail, return receipt requested (ECF # 347). Service was made on February 7, 2019 of the November 1, 2018 filed Third Amended Complaint (ECF # 269), the November 2, 2018 filed In Re Third Amended Complaint Summons (ECF # 271), and the December 21, 2018 filed Order Granting Administrative Motion to Amend Third Amended Complaint [re heading]. The proof of

1 service for this was filed March 14, 2019 as ECF # 360.

2 30. Service on inactive entity defendant Vuzem USA, Inc. was completed pursuant to  
3 Order of February 5, 2019 which allowed Plaintiffs and Relators to serve Vuzem USA,  
4 Inc. by service on the California Secretary of State (ECF # 348). Service was made on  
5 February 26, 2019 of the November 1, 2018 filed Third Amended Complaint (ECF #  
6 269), the November 2, 2018 filed In Re Third Amended Complaint Summons (ECF #  
7 271), and the December 21, 2018 filed Order Granting Administrative Motion to  
8 Amend Third Amended Complaint [re heading]. The proof of service for this was filed  
9 March 14, 2019 as ECF # 359.  
10

11 31. All Slovenian defendants against whom default judgments were sought and obtained  
12 were served by persons who are process servers in Slovenia and in the county of  
13 residence of these defendants, with service being by post with receipt of the  
14 Summons, Third Amended Complaint, and Order re Heading in Slovenian.  
15

16 32. I have gathered information to buttress the claims of Mr. Papes in obtaining  
17 information for his medical and loss of income claims which are part of the bases for  
18 his coerced labor claim.

19 33. I also obtained information to support specific personal jurisdiction. I obtained a  
20 declaration from Goren "Gogo" Rebic which confirms his "transfer" of employment from  
21 ISM Vuzem, d.o.o. to HRID-Mont, d.o.o., and his working in the United States in 2019  
22 for HRID-Mont, d.o.o. I also obtained proof of transfer of employees, financial  
23 accounts, and work from ISM Vuzem, d.o.o. to HRID-Mont, d.o.o.  
24

25 34. I gathered information on the irregular contract agreements between large hirers Tesla  
26 and others with Eisenmann Corporation, and of Eisenmann Corporation with  
27 subcontractors including the Vuzem entities without any construction subcontractor  
28

1 being required to or having workers compensation insurance. This is relevant to  
2 liability for coerced labor claims.

3 35. I served and re-served very substantial and detailed Rule 26 Disclosures and  
4 Supplemental Disclosures

5 36. I served and re-served discovery requests to Defendants Eisenmann Corporation and  
6 Tesla Corporation, obtaining including after filing motions documents that corroborate  
7 and support the hours worked by Papes and when.

8 37. I engaged in substantial law and motion practice on all issues, including subject matter  
9 jurisdiction, personal jurisdiction, service of process, motions to quash, motions to  
10 compel, administrative motions to file under seal, motions re confidentiality, and  
11 motions to dismiss including regarding responsible parties and allegations to support a  
12 coerced labor claim under the TVPA.  
13

14 38. I had to gather information from social media, internet investigation, communications  
15 oral and in writing with Ms. Papes and with many co-workers, FOIA requests, and  
16 discovery obtained in this action and from prior litigation productions. I also had to  
17 obtain documents from medical care providers in Croatia as well as in California.  
18

19 39. This was a lengthy process that involved e-mail, zoom and phone calls as well as  
20 language difficulties. I had planned a trip to Croatia, but this was cancelled when I had  
21 surgery for an achilles injury. This slowed and made more difficult and time  
22 consuming obtaining records, documents and information.  
23

24 40. I prepared motions to obtain default judgment on coerced labor claims. These  
25 included substantial supporting documentation. The motion for default judgment was  
26 granted as to Papes on the TVPA coerced labor Claim 9.

27 41. I prepared motions to obtain default judgment on other causes of action. The time and  
28

1 expense for these, other than as they directly relate to the coerced labor claim – such  
2 as fact issues and supporting evidence – are not included in this request for fees.

3 42. I engaged in mediation which specifically covered the coerced labor claims, both with  
4 FedArb by the Honorable Judge A. Howard Matz, ret. and in a court supervised  
5 settlement conference with the Honorable Judge Virginia DeMarchi. The time and  
6 costs for mediation with FedArb, increased due to travel charges which were  
7 increased when Mr. Papes learned at an airport that his visa had been cancelled.

8 43. I retained counsel to pursue class action wages class certification and judgment.

9  
10 Though this was indirectly related to the TVPA coerced labor Claim 9, this time and  
11 this expense is not sought as recoverable fees and costs in this motion other than as  
12 they directly relate to the coerced labor claim.

13 44. I retained counsel to consult and advise on a RICO claim. This time and this expense  
14 is not sought as recoverable fees and costs in this motion.

15 45. I expended substantial time in evaluating and prosecuting other claims, including a  
16 False Claims Act claim, which though indirectly the TVPA coerced labor Claim 9, this  
17 time and this expense – other than for development of facts relevant to the coerced  
18 labor claim - is not sought as recoverable fees and costs in this motion.

19  
20 46. The Second Amended Complaint and Third Amended Complaint included claims and  
21 causes of action against other defendants who were not defendants on the coerced  
22 labor claims. This time and the related expenses – other than for development of facts  
23 relevant to the coerced labor claim - are not sought as recoverable fees and costs in  
24 this motion.

25 47. Taking on the coerced labor claim involves a financial risk for me and this office.

26  
27 Absent a recovery, I would receive nothing for the time and expenses incurred in  
28

1 litigating this matter. The expenses in this matter have been significant, including out  
2 of pocket costs for expensive translation and service of the pleadings in this action

3 48. I received compensation from a 2020 settlement between individual plaintiffs Papes  
4 and Lesnik on one part and Tesla, Inc. and Eisenmann SE and its subsidiaries, but no  
5 other compensation, and no compensation on any wage and hour claims

6 49. I have not received any advance from any of my clients in this action for fees or costs.

7 50. I have paid for translation services, and the costs and fees of all counsel who have  
8 assisted in this action who requested compensation for their services.

9 51. There remains after any final judgment the requirement of collection against  
10 defendants who are not United States citizens, and who are not now directly  
11 conducting business in their own names in the United States.

12 52. My office has created a spreadsheet containing the names of the individual former  
13 Vuzem employees, as well as the address, e-mail address, and/or phone number for  
14 most of these individuals. This information, and the documents obtained, were as to  
15 relevant facts and documents disclosed in detailed Rule 26 Disclosures.

16 53. Grant of this Motion will resolve all pending claims against all pending parties including  
17 Defendants ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Vuzem USA, Inc., Robert  
18 Vuzem, Ivan Vuzem, and HRID-Mont, d.o.o.

19 54. Plaintiff Papes further requests that this Court direct entry of a final judgment under  
20 Rule 54(b).

21 55. Attached as Exhibit A to this Declaration is a "History Report for Court" as generated  
22 by Timeslips, the billing program used by this office.

23 56. The History Report includes time and costs entries from 2016 through August 23,  
24 2022.

1 57. The History Report sets forth specific services rendered by me, and by all people  
2 working in this office, in representation of Plaintiff Stjepan Papes.

3 58. I redacted entries for services that were not incurred in connection with Claim 9. This  
4 includes that I redacted entries for service spent in prosecuting and seeking recovery  
5 other than for Claim 9. I have redacted entries for False Claims Act claims, claims  
6 against defendants who were never defendants on coerced labor or FLSA claims, the  
7 FLSA claims, and for all other claims that are not for prosecution of Claim 9. I thus  
8 removed service of process costs on numerous initially named defendants. I removed  
9 costs for translations into Polish. I removed fees paid to co-counsel who prepared  
10 motions for class certification and class judgment. The remaining History Report  
11 contains entries for services and costs spent or incurred in investigation, client contact,  
12 research, and prosecution for recovery on the coerced labor claim.

13  
14 59. The History Report does not contain time entries for services on the related actions of  
15 Maslic et al v ISM Vuzem, d.o.o. et al, or Novoselec et al v ISM Vuzem, d.o.o. et al

16  
17 60. I have not included in this motion a claim for the time and expenses for services  
18 rendered in the prior litigations referred to in paragraphs 2 and 3, supra. Rather, the  
19 amount of time spent in the within action has been reduced because of that prior  
20 representation and information obtained therein.

21 61. All billed legal services by an attorney in this office on behalf of Plaintiff Stjepan Papes  
22 in this case have been by me. I have sought and obtained legal advice and assistance  
23 by other attorneys. No time entries in the History Report are for the services for other  
24 attorneys. However, there are costs entries in the Report for actual payments by me  
25 to other attorneys on an hourly fee basis.

26  
27 62. The costs stated in the History Report are actual expenditures at actual cost stated  
28

basis.

63. I added a strikethrough in red with an “x” next to those entries for those costs and expenses that are not incurred in connection with Claim 9.

64. I reduced the expenses incurred in this entire action by \$121,437.74.

65. The remaining \$62,916.19 in costs and expenses is the amount of costs for which recovery is sought by this fee motion.

66. The History Report does not include time spent after August 10, 2022. It thus does not include time spent by me or my office after August 10, 2022:

Preparing an October 3, 2022 filed Motion for reconsideration for leave to file this renewed motion for fees. This included a proposed motion for fees both under the FLSA and the TVPA;

Preparing a motion for judgment under FLSA causes of action;

Attending case management conferences and preparing status reports and case management statements;

Receiving and reviewing Orders; and

Preparing this Declaration and the Renewed Motion that this Declaration Supports.

67. The total time spent on the motion for reconsideration, the attached proposed motion for fees, and this renewed motion for fees, is more than 25 hours.

68. The History Report also does not include such time as may be required to obtain collection on a Judgment issued in this Court.

69. The total hours of services rendered as stated in this History Report is 3,338.35 hours of recorded time.



1 70. There are nine pages of mostly relatively short time entries for the services rendered  
2 prior to the April 2017 USAG declination to intervene. Even then, some of the time  
3 was attributed to things reasonable and necessary to obtain the relief sought by Mr.  
4 Papes. For example, I located and obtained ISM Vuzem and Vuzem USA articles of  
5 incorporation and contracts which is information reasonable and necessary to request  
6 relief under Claim 9. I also investigated and researched a new Vuzem entity. This is  
7 HRID-Mont, d.o.o., opened to transfer contracts and employees, and assets, from ISM  
8 Vuzem, d.o.o.  
9

10 71. I redacted time entries for services not incurred in connection with Claim 9, the  
11 coerced labor claim. These are for the legal issues and damages issues for the False  
12 Claims Act Claims, wages claims, and RICO claims that are not the subject of Claim 9.

13 72. All other legal services were incurred as being reasonable and necessary to obtain the  
14 relief for Mr. Papes on Claim 9.  
15

16 73. Most of the individual line-item entries separate work performed for specific causes of  
17 action and specific claims. For those that were not, but for which some of the work  
18 was incurred in connection with Claim 9, I did not redact these entries. For these  
19 entries which were not redacted, I have reduced my calculation of time incurred in  
20 connection with Claim 9 based on my knowledge of what time I spent on different  
21 causes of action and claims.  
22

23 74. It is based on the History Report and this calculation that I estimate that more than  
24 20% of the time stated in the History Report was reasonably and necessarily incurred  
25 to obtain the recoveries for Mr. Papes under Claim 9. About 10% of the time stated is  
26 solely for coerced labor claims, and about 15% is for Claim 9 as well as other matters.  
27 About 25% of my time relates to the coerced labor claims, and about 15% of the  
28

1        paralegal time relates to the coerced labor claims.

2        75. My customary hourly charges for hourly fee clients in 2016 was \$350 per hour, since  
3        2017 was at the rate of \$375 per hour, and since 2018 has been at a rate of \$400 per  
4        hour. I request that \$400.00 per hour be used as the reasonable billing rate for this  
5        motion which is being filed in 2023.

6        76. The billing rate for paralegal and law clerk services has remained constant for ten  
7        years at \$75 per hour.

8        77. The billing rate for other non-administrative services other than for attorney, paralegal  
9        or law clerk services is charged by this office at \$45 per hour.

10       78. The individuals who provided billable services in connection with this proceeding have  
11       been Debra Lumley (1,153.80 hours), Stacie Del Giudice (214.90), Lisa Ayala (35.9),  
12       Laura Diaz (8.2), Amanda Pryzbyla (6.1), Trish Crawford (5.05) and me (1,469.2).

13       79. Debra Lumley is a paralegal who was worked for this office at three different times,  
14       initially starting in 1996 as a secretary legal assistant, then again in September 2008  
15       as office manager and paralegal, and most recently starting in November of 2017 as a  
16       paralegal.

17       80. Stacie DelGiudice is a certified paralegal who graduated from West Valley Community  
18       College with an Associate Degree in Paralegal Studies. She was on the Dean's list  
19       and Honors Program. West Valley Community College's paralegal program is certified  
20       by the ABA. She had worked for this office on an ad hoc basis since 2015 and is now  
21       an employee.

22       81. Andrea Anderson is a paralegal who I first worked with at Tarkington, O'Connor &  
23       O'Neill between 1990 and 1994. She has been working for me again since January of  
24       2022.

1 82. Laura Diaz was a law clerk with this office between September of 2015 and July of  
2 2017. She graduated from the University of California San Francisco School of Law  
3 (formerly known as "Hastings") with J.D. in May 2020. On October 2020 I started a  
4 judicial clerkship with the first circuit at the Hawaii State Judiciary. She currently works  
5 for Clapp Moroney Vucinich Beeman Scheley.

6 83. Amanda Pryzbyla is a certified paralegal. She received an Associate of Applied  
7 Science Degree, Paralegal, from Heald College, Milpitas, CA in October of 2011 and  
8 an Associate of Arts Degree, Legal Studies, from Heald College, Milpitas, CA in April  
9 of 2012. She worked in this office between July and December of 2017.  
10

11 84. Patricia Crawford is a paralegal who worked for this office from November of 2017  
12 through July of 2018.

13 85. The customary billing rate for their services is \$75 per hour for paralegal and law clerk  
14 activities. This is identified in this office's Timeslips billing program as a level 2 rate.  
15

16 86. I am a 1982 graduate of the University of California, Hastings College of the Law. I  
17 was the only person in my law school class to make law journal on the basis of grades  
18 while working during my first year of law school. I was the first person in my law  
19 school class to publish a law journal article, also while working during my second year.

20 87. I worked for Matthew Bender on its Criminal Practice publications and for the criminal  
21 defense firm of Breakstone and Cotsirillos immediately following my graduating from  
22 law school. I have thereafter practiced civil litigation and primarily civil litigation since I  
23 passed the bar in 1982.  
24

25 88. I worked for six years for CalFarm Insurance Company as staff counsel, and then for  
26 six years with the firm of Tarkington, O'Connor and O'Neill leaving as a partner. I have  
27 thereafter worked for the last twenty-nine years as a sole proprietor, though I have had  
28

1 from one to three attorneys working for me during more than half of these last 29  
2 years.

3 89. I handle every aspect of cases, from retention through litigation, negotiation,  
4 mediation, trial and appeal. I am also responsible for all law firm business matters,  
5 including generation of new cases and hiring and supervising support staff and  
6 paralegals. All but one of more than twenty law clerks who have worked for me  
7 passed the California State Bar examination. This includes clerks who have  
8 subsequently become judges.  
9

10 90. I have tried to verdict or decision more than fifty civil cases. I have also tried to  
11 decision more than twenty long cause matters and binding arbitrations. My clients  
12 were the prevailing parties in my first arbitration, first court trial, and my first jury trial,  
13 as well as the vast majority of subsequent binding arbitrations, court trials, and jury  
14 trials. I have tried cases to verdict or court judgment in Alameda, Monterey,  
15 Sacramento, Santa Clara, Santa Cruz, San Joaquin, San Mateo and Stanislaus  
16 Counties Superior Courts, and in the Northern District of California. These include  
17 employee claims for, among other things, termination of employment and wages  
18 claims. I have commenced trial in every county in Northern California and have  
19 litigated cases from Humboldt to San Diego. I have tried long cause matters to  
20 decisions in Santa Clara and Sacramento County Superior Courts. I have tried  
21 arbitrations through to awards with AAA. This includes for wage disputes. I have tried  
22 adversarial proceedings to judgment in the United States Bankruptcy Court for the  
23 Northern District of California. I have also litigated hundreds of other cases in state  
24 courts, in bankruptcy courts in California, Washington and Georgia, and in the  
25 Northern District, Eastern District and Central District of California and the Ninth Circuit  
26  
27  
28

1 Court of Appeals. I have prosecuted and defended wage claims before the California  
2 Labor Commissioner. I have been the sole or lead trial counsel for my clients in all of  
3 these matters.

4 91. I served as Judge Pro Tem in San Francisco Municipal and Superior Court and Santa  
5 Clara County Superior Court.

6 92. I served as chair of the Santa Clara County Bar Association Conference of Delegates  
7 for two years, Chair of the Labor and Employment Law Executive Committee of the  
8 Santa Clara County Bar Association, and have been a member of a host of local bar  
9 association committees.  
10

11 93. I have attended more continuing education classes than could be listed, including from  
12 before MCLE was a requirement. This includes MCLE during the pendency of this  
13 litigation of federal civil symposiums on class actions and wages claims held in the  
14 courthouse at 450 Golden Gate Avenue, San Francisco, CA 94102.  
15

16 94. I have been counsel for several appellate decisions, including one with the Ninth  
17 Circuit concerning privacy in cordless phone calls prior to amendments to the state  
18 and federal privacy acts and one published decision of the Third Appellate District of  
19 the State of California concerning a spouse's right to sue for civil damages while  
20 pursuing other remedies in a dissolution proceeding.

21 95. I provided legal services to well more than 100 insurance carriers, to well more than  
22 100 businesses, and to well more than 400 individuals in my forty full years of active  
23 practice as an attorney.  
24

25 96. I am a member of the California State Bar Labor and Employment Law Section.

26 97. I request an award of attorneys fees of \$254,550.00, based on:

27 the reasonableness of the value of the services rendered being as supported by  
28

1 this Declaration;

2 the amount of time as a Lodestar as being stated in the attached Exhibit A  
3 History Report for Court and in the attached Exhibit B Chart of Major Tasks ;

4 the allocation of time reasonable and necessary to obtain recoveries for Mr.  
5 Papes under Claim 9 as categorized and summarized in the attached Exhibit B Chart  
6 of Major Tasks; and

7 the appropriateness of and amount of awarding fees under current billing rates  
8 without a multiplier based on the time, expense, effort, and duration of the services  
9 rendered.  
10

11 98. The USAO Matrix, formerly known as the Laffey Matrix which derives its name from a  
12 seminal case - Laffey v. Northwest Airlines, Inc. (572 F. Supp. 354 (D.D.C. 1983), aff'd  
13 in part, rev'd in part on other grounds, 746 F.2d 4 (D.C. Cir. 1984), cert. denied, 472  
14 U.S. 1021 (1985)) - is a free resource published each year by the U.S. Attorney's office  
15 for the District of Columbia. It offers tiered rates for lawyers, differentiated according  
16 to their years of experience. The matrix is available at  
17 ([www.justice.gov/usao/dc/divisions/civil.html](http://www.justice.gov/usao/dc/divisions/civil.html)).  
18

19 99. The USAO Matrix for 2015 - 2021 for the District of Columbia area states that the  
20 hourly rate for attorneys with more than 30 years of experience - which is where I fall -  
21 was \$665 per hour for 2020 - 2021. San Francisco has an 8% higher average rate for  
22 lawyers compared to that for the District of Columbia. (See *Garnes v. Barnhardt* (2006  
23 WL 249522 at \*7 (N.D. Cal.); see also *Chanel, Inc. v. Doan*, 2007 WL 781976 (N.D.  
24 Cal.); and *Syers Properties III, Inc. v. Rankin*, 226 Cal. App. 4th 691, 702 (2014).)  
25

26 100. The Real Rate Report, published by Wolters Kluwer, is another rate report which  
27 has been favorably accepted by many courts. (See *Hicks v. Toys 'R Us-Delaware*,  
28

1 Inc., 2014 WL 4670896 at \*1 (C.D. Cal.)) The Real Rate Report states higher hourly  
2 rates than the USAO Matrix.

3 101. My billing rate charged on this file, and requested in this fee motion, is less than 2/3  
4 of the rate set forth in these reports. It is 2/3 of the rate set favorably viewed and  
5 accepted by the Court a decade ago in Charlebois v Angels Baseball LP, 993  
6 F.Supp.2d 1109 (2012), and in the cases cited by the Charlebois court.

7  
8 102. For these reasons and based on the experience stated herein, I request that the  
9 Court find that the value of services is at least \$400 per hour for my time, and at least  
10 \$75 per hour for paralegal activities by this office's staff.

11 103. Time records are kept on a daily basis by each individual working for this office.  
12 Records are saved in a WordPerfect document saved by date. The daily records  
13 identify the client, include a brief statement or summary of the work performed, and the  
14 amount of time spent in tenths of an hour.

15  
16 104. The data from the daily time sheets is then inputted into a Timeslips billing  
17 program.

18 105. For these reasons, and for the content stated in the History Report, I request that  
19 the Court find that the amount of time stated in the Report is a proper basis for  
20 evaluating this request for Fees as stating the number of hours reasonably expended  
21 on the litigation multiplied by a reasonable hourly rate. I request that the Court find the  
22 hours incurred in connection with the TVPA coerced labor Claim 9 is reasonably and  
23 accurately summarized in the Attachment B Chart.

24  
25 106. I request that the Court find the Lodestar amount for attorneys' fees incurred in  
26 connection with Claim 9 to be \$254,550.00. This is based on 585 attorney hours at  
27 \$400 per hour and 274 paralegal hours at \$75.00 per hour.

1 107. I am not for purposes of this request asking the Court to add a multiplier despite  
2 the time, expense, effort, and duration of the services rendered in this matter. Rather,  
3 I am requesting the hourly rate be set at my current billing rate.

4 108. Expense records are kept separately for internal copying and postage costs, and  
5 then inputted into the Timeslips billing program.

6 109. Expenses paid by check are saved in a Quicken program. Expenses paid by credit  
7 card are saved formerly on a WordPerfect and in the last several years on a Word  
8 document, typically on a monthly basis. This information is then inputted into the  
9 Timeslips billing program.

10 110. The expenses have been incurred to assist this office to obtain for the benefit of  
11 Mr. Papes a recovery on Claim 9.

12 111. The total amount of costs stated in this History Report is \$184,353.93. I have  
13 adjusted the costs and expenses by reductions in the amount of \$121,437.74 for  
14 matters not related to the coerced labor Claim 9. The amount after adjustments  
15 requested for expenses for prevailing party under Claim 9, the TVPA claim for coerced  
16 labor on behalf of Stjepan Papes is \$62,916.19.

17 112. The amount requested for fees for prevailing party under Claim 9, the TVPA claim  
18 for coerced labor on behalf of Stjepan Papes, is \$254,550.00.

19 113. The total amount request for fees and costs on a fee award is \$317,466.19 for fees  
20 and expenses reasonably and necessarily incurred to obtain relief for Mr. Papes under  
21 the TVPA coerced labor Claim 9.

22 114. Attached as Exhibit A is the History Report discussed in this Declaration.

23 115. Attached as Exhibit B is a Chart of Major Tasks for claims against defaulted  
24 defendants which summarizes the time spent by this office's staff and by me for major  
25  
26  
27  
28



categories of activities incurred in connection with Claim 9.

116. Attached as Exhibit C is the September 19, 2021 Order by which Plaintiff Stjepan Papes is a prevailing party under a TVPA coerced labor claim.

117. Attached as Exhibit D is the May 30, 2023 Order granting leave to file this renewed motion for fees.

118. I request on behalf of myself as the Law Offices of William C. Dresser as and for reasonable fees that the Judgment herein include a recovery of fees and costs by this office as set forth in this declaration.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct, and that this declaration was executed by me on June 16, 2023 at Los Gatos, California.

/s/ \_\_\_\_\_  
William C. Dresser



US, ex rel. Lesnik v Eisenmann SE, et al.  
Case No: 5:16-cv-01120 LHK

# Attachment A

Law Offices of William C. Dresser  
14125 Capri Drive, Suite 4  
Los Gatos, CA 95032

Invoice submitted to:



August 23, 2022

In Reference To: US ex rel Lesnik and Papes v Eisenmann, et al

Professional Services

	<u>Rate</u>	<u>Amount</u>
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Gregor Lesnik

Page 2

		<u>Rate</u>	<u>Amount</u>
9/25/2015	save Eisenmann representations to US Embassy, save documents re witnesses Csaba and Papas; prepare index of ISM Vuzem documents .2	350.00/hr	70.00
10/3/2015	research other Tesla plant operations, other foreign nationals in other locations, other Tesla management locations, job postings, unions, and other Tesla lawsuits; memos to file .3	350.00/hr	105.00
10/4/2015	organize documents, save in combined format, add searchable functions and numbering of documents 1.5	350.00/hr	525.00
10/19/2015	call with Gregor .5	350.00/hr	175.00
12/3/2015	[REDACTED]	350.00/hr	350.00
12/7/2015	[REDACTED]	350.00/hr	35.00
12/9/2015	save searchable copies of contracts [REDACTED] .2	350.00/hr	70.00
12/13/2015	[REDACTED]	350.00/hr	175.00
12/18/2015	organize and save documents [REDACTED] including Eisenmann corporate status documents .4	350.00/hr	140.00
12/24/2015	[REDACTED]	350.00/hr	350.00
12/28/2015	[REDACTED]	350.00/hr	700.00
3/30/2016	[REDACTED]	350.00/hr	35.00
	[REDACTED]	350.00/hr	805.00

Gregor Lesnik

Page 3

		<u>Rate</u>	<u>Amount</u>
			
3/31/2016		350.00/hr	1,750.00
4/1/2016	Receive and review Ntc of Impending Reassignment to a United States District Court Judge;	350.00/hr	35.00
		350.00/hr	490.00
4/5/2016		350.00/hr	35.00
4/7/2016		350.00/hr	35.00
4/11/2016	scan and save Order sealing file .1	350.00/hr	35.00
4/13/2016	 locate and save identification of cash payments .1	350.00/hr	70.00
4/14/2016		350.00/hr	35.00
4/15/2016	call with attorney Proctor, letter to Proctor .6	350.00/hr	280.00
4/18/2016		350.00/hr	35.00

Gregor Lesnik

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		<u>Rate</u>	<u>Amount</u>
4/19/2016	[REDACTED]	350.00/hr	105.00
	save certificate of service, notice of re-assignment .1	350.00/hr	35.00
4/21/2016	[REDACTED]	350.00/hr	140.00
4/29/2016	[REDACTED]	350.00/hr	175.00
5/1/2016	[REDACTED]	350.00/hr	35.00
5/2/2016	[REDACTED]	350.00/hr	175.00
5/3/2016	[REDACTED]	350.00/hr	210.00
	[REDACTED]	350.00/hr	70.00
5/11/2016	[REDACTED]	350.00/hr	105.00
5/12/2016	[REDACTED]	350.00/hr	490.00

Gregor Lesnik

Page 5

Rate Amount

5/18/2016	e-mail from Papes, save documents, e-mail [REDACTED]	350.00/hr	140.00
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5/19/2016	[REDACTED]	350.00/hr	385.00
-----------	------------	-----------	--------

E-mail with Stejpan Papes  
.2





Gregor Lesnik

Page 6

	<u>Rate</u>	<u>Amount</u>
5/24/2016 [REDACTED]		245.00
Save attachments to Papes e-mail	350.00/hr	
2		

[REDACTED]

Gregor Lesnik

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	<u>Rate</u>	<u>Amount</u>
6/15/2016 [REDACTED]	350.00/hr	35.00
6/16/2016 [REDACTED]	350.00/hr	3,150.00
6/17/2016 organize notes and documents from Gregor .5	350.00/hr	210.00
6/23/2016 [REDACTED]	350.00/hr	35.00
[REDACTED]	350.00/hr	35.00
6/24/2016 e-mail to Proctor re status of dismissal of civil action for damages .1	350.00/hr	35.00
6/27/2016 scan, convert to searchable, convert to text list of Vuzem employees 1.5	350.00/hr	560.00
6/29/2016 call with attorney Proctor re communications with former Vuzem witnesses, contacts for wages claims, filing of First Amended Complaint [REDACTED] .5	350.00/hr	175.00
7/15/2016 Receive and review First Amended Complaint for damages and other relief under the false claims act filed under seal	350.00/hr	35.00
revise and complete First Amended Complaint, file, scan filed copy of FAC, [REDACTED] 1.5	350.00/hr	525.00
7/18/2016 memo re Fremont Fire Dept records .2	350.00/hr	70.00

Gregor Lesnik

Page 8

		<u>Rate</u>	<u>Amount</u>
7/20/2016	Filed certificate of service under seal .5	75.00/hr	37.50
	Receive and review Filed copy of Certificate of service of first amended complaint;	350.00/hr	35.00
7/25/2016	[REDACTED]	350.00/hr	35.00
8/5/2016	[REDACTED]	350.00/hr	35.00
8/11/2016	[REDACTED]	350.00/hr	70.00
8/22/2016	[REDACTED]	350.00/hr	35.00
8/23/2016	e-mail from Danijel Travancic in response to request for Gregors notes .1	350.00/hr	35.00
8/26/2016	conference with Lou Hansen about status of unrelated matters .1 Danijel Travancic to office with documents .1 Scan and save notes .1 [REDACTED]	350.00/hr	175.00
8/29/2016	create memo of witness information 2.5	350.00/hr	875.00
9/8/2016	[REDACTED]	350.00/hr	35.00
9/23/2016	call Eddie Hart at US Dept of Labor, call to Melanie Proctor .2 Forward e-mail to Hart to joint interest counsel Proctor with explanation .1 Complete and save memo of witnesses as identified by Gregor with input from prior investigations, save; [REDACTED] 1.5 [REDACTED]	350.00/hr	665.00
9/25/2016	[REDACTED]	350.00/hr	35.00

Gregor Lesnik

Page 9

	<u>Rate</u>	<u>Amount</u>
9/29/2016 e-mail to Simunic .1	350.00/hr	35.00
10/11/2016 [REDACTED]	75.00/hr	15.00
[REDACTED]	350.00/hr	35.00
10/17/2016 [REDACTED]	350.00/hr	35.00
10/18/2016 research other worker visa problems .1	350.00/hr	35.00
10/20/2016 organized file .3	75.00/hr	22.50
10/31/2016 receive e-mail from Jaka Tansek, view facebook and save posted pictures, e-mail to Tansek; confirm on list of Vuzem employees (with a much older Tansek), e-mail to Gregor, e-mail from Travancic, e-mail from other worker, e-mail to Gregor and to Travancic; further Facebook investigation; memo to file, save posted photos, [REDACTED] memo to file 2.0	350.00/hr	700.00
11/2/2016 e-mail from and to Gregor .1	350.00/hr	35.00
11/6/2016 [REDACTED]	350.00/hr	35.00
11/14/2016 [REDACTED]	350.00/hr	140.00
11/23/2016 e-mail to Melanie Proctor re Vuzem / Eisenmann monetary transaction .1	350.00/hr	35.00
12/1/2016 Receive and review Filed copy of Order for Stipulation and Request for Enlargement of time, Filed under seal;	350.00/hr	35.00
1/25/2017 Receive and review Reassignment Order changing referral magistrate judge from Judge Cousins to Judge Susan van Keulen	350.00/hr	35.00
1/27/2017 scan Notice of Reassignment, print, [REDACTED] .1	350.00/hr	35.00

Gregor Lesnik

Page 10

Date Amount

  
3/6/2017 e-mail from Papes  
.1


350.00/hr

35.00

  
3/24/2017 e-mail from and to Papes,  
.1

350.00/hr

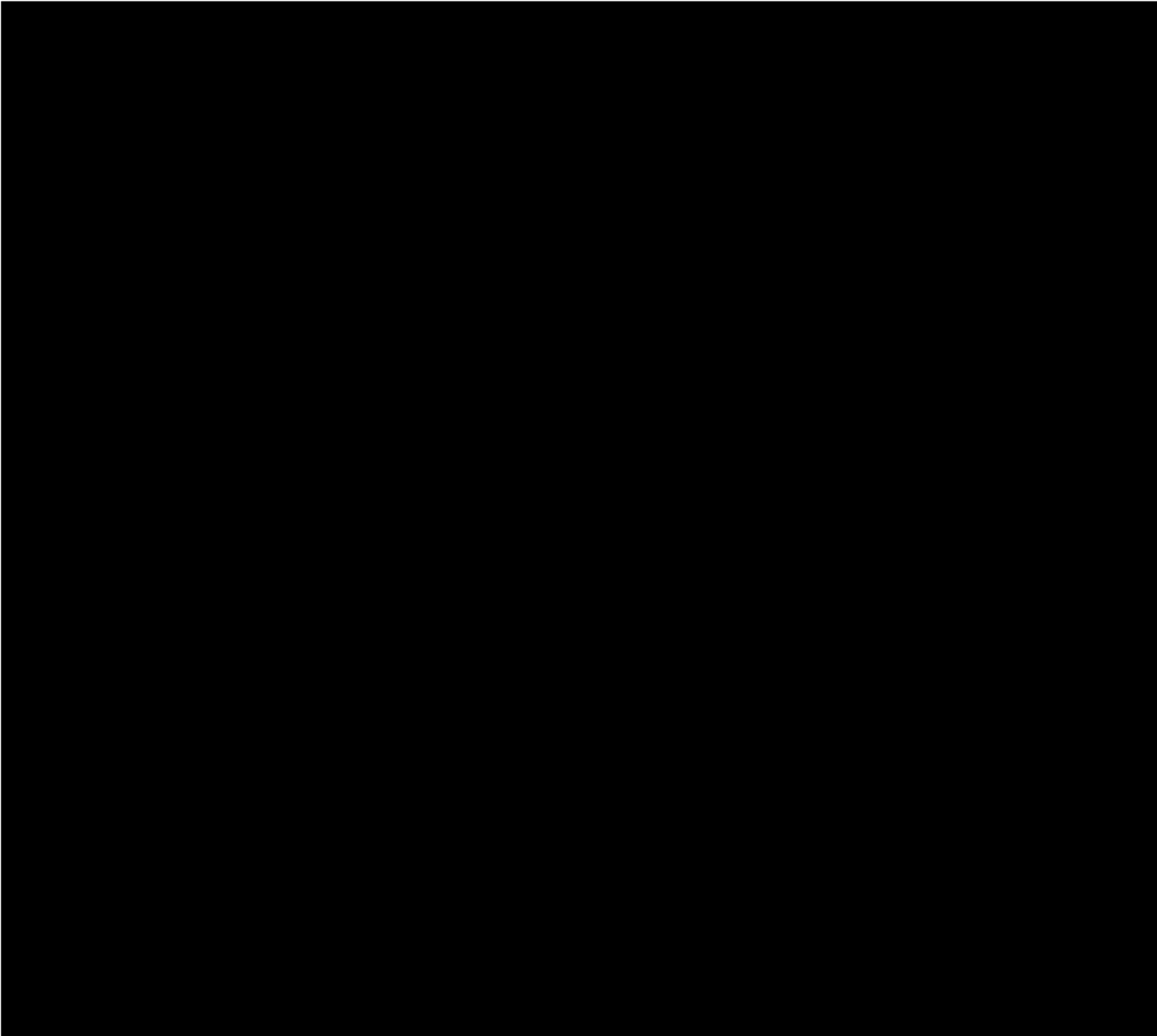
35.00

  
E-mail to Papes, e-mail to Gregor and Danijel re status  
.2

Gregor Lesnik

Page 11

	<u>Rate</u>	<u>Amount</u>
4/15/2017 e-mail saved in text with Papes .1	350.00/hr	35.00
4/16/2017 e-mails from Stjepan Papes providing places worked and dates, review, save, confirm receipt .2	350.00/hr	70.00



Gregor Lesnik

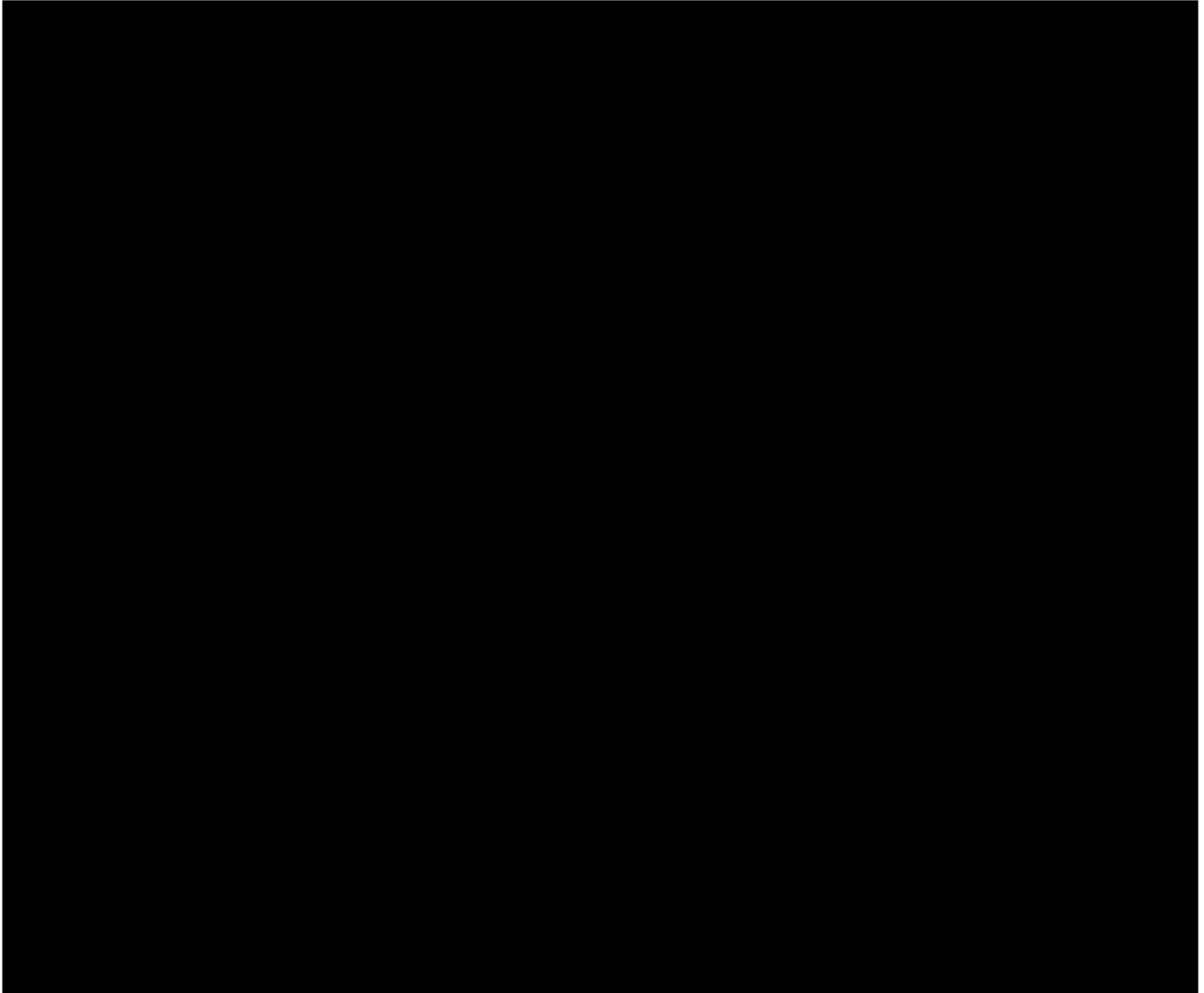
Page 12

		<u>Rate</u>	<u>Amount</u>
5/6/2017	[REDACTED]	350.00/hr	70.00
5/8/2017	[REDACTED]	350.00/hr	35.00
5/9/2017	Research online records of visa issuance; save online database press release .3	350.00/hr	105.00
	[REDACTED]	350.00/hr	35.00
5/10/2017	conference with Danijel Travancic to discuss status and communications with Gregor re status 1.0 Call to Kenneth Simonton, Wage and Hour Investigator, inquiring as to status of claim .1 [REDACTED]	350.00/hr	420.00
5/12/2017	conference with potential co-counsel, review state bar rules, prepare addendum to retainer, call with Danijel 1.0 (no charge) e-mail from Gregor, save signed addendum to retainer .1	350.00/hr	385.00
5/13/2017	meeting with Danijel Travancic for source information provided by client 1.0	350.00/hr	350.00
5/15/2017	[REDACTED] Save e-mail from Gregor and scanned signed retainer .1 Review e-mails with Gregor, Assemble information about people currently working in US, locate supporting documents, [REDACTED] [REDACTED] .3 Save e-mails and memos of past week .1	350.00/hr	280.00
5/16/2017	e-mail from Palmer, forwarding e-mails with attorney Michael Hancock and with Ronil Hira .1 Call with Michael Hancock; memo to file, e-mail to Hancock .7	350.00/hr	280.00
5/17/2017	[REDACTED]	350.00/hr	35.00

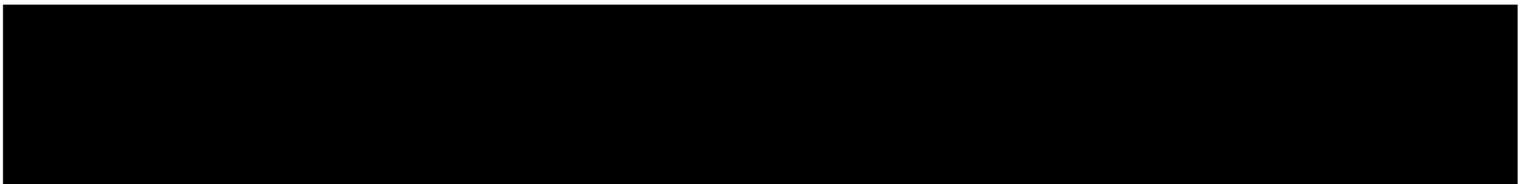
Gregor Lesnik

Page 13

Rate Amount



5/31/2017	locate and save corporate status documents for Tesla, call from Stjepan Papes, call from Danijel, e-mail from Gregor, locate and save Croatian news posts re Tesla	350.00/hr	210.00
.6			





Gregor Lesnik

Page 14

		<u>Rate</u>	<u>Amount</u>
<div style="background-color: black; height: 100px; width: 100%;"></div>			
6/8/2017	call with Gregor, with Danijel and with Stjepan, e-mail to Palmer to provide addresses to Emily of CBS .5	350.00/hr	175.00
6/10/2017	calls with Stjepan, memo to file; <div style="background-color: black; width: 150px; height: 1.2em; display: inline-block;"></div> 1.0 organize documents and e-mails to attorney Michael Hancock re scheduling phone call .1	350.00/hr	385.00
6/11/2017	calls with Hancock .2 E-mails with Papes, review e-mail to Simonton re wages claims; e-mail to Eastwood and Hart about status of federal investigation of wages claims; e-mail from Hart; call with Papes; e-mail to Stjepan .4	350.00/hr	210.00
	conduct internet search for documents to support client claims including of Eisenmann employees and agents and Eisenmann contracts for sites identified by clients 2.5	350.00/hr	875.00
6/12/2017	e-mail from Hancock, e-mail from Eastwood re assignment of file .1 Call with Michael Hancock re evaluated claims for wages, memo to file .5 Research internet press releases, ave same .1	350.00/hr	245.00
6/13/2017	<div style="background-color: black; width: 450px; height: 3.5em; display: inline-block;"></div> call with Stjepan Papes re <div style="background-color: black; width: 60px; height: 1.2em; display: inline-block;"></div> and wages issues and supporting evidence 2.0	350.00/hr	840.00
6/14/2017	call from Stjepan Papes, attempted call with Stjepan Novoselac about interview by CBS .4 E-mail from Gregor .1 Research employers and work locations identified by Stjepan and Gregor, memos to file, save internet documents supporting claims; save and review letter from USAG; memo of additional inserts to intended Second Amended Complaint, further calls with Stjepan, save details of work loads for visas	350.00/hr	1,330.00

Gregor Lesnik

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	<u>Rate</u>	<u>Amount</u>
3.0 E-mail to Emily Rand .1 e-mail to Simunic .1 E-mail to Stjepan and Gregor re status .1		
6/15/2017 additional research re locations and employers identified by clients, internet search, memos to file; memo of additional inserts to Second Amended Complaint 2.5	350.00/hr	1,260.00
		
Receive, save, review and index bank records, wages representations, pay records, and contract .4 Further e-mails from Papes of work sites and employers, save .2 E-mails to Hancock .1		
6/16/2017 save e-mails of past week .1 E-mail to Papes re witnesses including Novoselac .1 E-mail from and to Hancock re summary of claims .1	350.00/hr	105.00
6/17/2017 	350.00/hr	70.00
6/18/2017 e-mails from Stjepan Papes, save and print e-mails and attachments, followup e-mail to Stejpen, text and e-mail from Stjepan; forward to e-mail one page of text photos; conduct Facebook investigation; further followup e-mail to Papes 2.0 Evaluate process to prepare an amended complaint .2	350.00/hr	770.00
receive and save signed retainer, execute retainer, e-mails to clients .2 receive and save documents from Papes, review as converted to English the text of Vuzem proposed release of claims with no payment, save client information re other involved entities, internet research re entities and workers 2.5	350.00/hr	1,050.00

Gregor Lesnik

Page 16

		<u>Rate</u>	<u>Amount</u>
	Evaluate further activities to support clients described claims .3		
6/20/2017	research and memo re contractor denied recovery in absence of comp insurance .2 E-mail from Hancock re call, detailed call re all issues of qui tam and wages claims, memo to file .4	350.00/hr	210.00
6/21/2017	call with Emily Rand .1 E-mail from Rand .1 E-mail to Hancock of employment contract documents .1	350.00/hr	105.00
6/23/2017	receive, download, review and save Gregor pay records .2	350.00/hr	70.00
6/25/2017	receive identification of employers and locations, evaluate other causes of action for Second Amended Complaint, memo re wages to be paid, begin to prepare draft Second Amended Complaint based on new information from clients; review CACA instructions; review and revise draft SAC 6.0	350.00/hr	2,100.00
6/26/2017	████████████████████ memo re other causes of action to insert, memo re employers and locations to estimate full time equivalents; update list of involved defendants; conduct internet search for information about employers identified by clients, save internet and social media postings, save Papes pay stubs, save contracts, save Slovenian article re Gregor, save Papes documents re taxes paid in Slovenia, save Papes contract, research related companies; e-mail to Michael Hancock of contract and wages documents 3.0	350.00/hr	1,050.00
	meeting with Emily Rand .5	350.00/hr	175.00
6/27/2017	e-mails with attorney Hancock about documentation to support wages claims .1	350.00/hr	35.00
6/28/2017	conducted research for SAC 2.0	75.00/hr	150.00



Gregor Lesnik

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	<u>Rate</u>	<u>Amount</u>
7/13/2017 e-mail from and calendar calls with Hancock .1 (no charge)	350.00/hr	NO CHARGE
7/14/2017 e-mail from Hancock re defendants and supervisors, e-mail to Hancock .1 Review and revise draft Second Amended Complaint 5.0 E-mails with Emily Rand .1	350.00/hr	1,820.00
7/15/2017 add to and revise draft Second Amended Complaint 3.5 Call with Emily Rand .1	350.00/hr	1,260.00
7/16/2017 [REDACTED] [REDACTED] e-mails with Danijel, Stjepan and Gregor; review Papes work history and revise activity allegations, review Eisenmann letters for Papes and update Eisenmann allegations; continue to add to and revise draft Second Amended Complaint including grammar, text, and numbering of paragraphs 11.0	350.00/hr	3,850.00
7/17/2017 research re minimum wage laws by state, FLSA cause of action, labor trafficking, civil remedies for trafficking; review and save Eisenmann invitation letter, insert text into SAC, review and save ISM certificate of employment, BMW hours, security cards, visas, Vuzem propose release without payment; review notes and emails with attorney Proctor of USAG; research California Civil Code and Penal Code statutes; research federal trafficking statutes; conduct internet and social media search re US presence of entity defendants and employees including from RIMSA; cross-review Papes work history with allegations of SAC; review prior e-mails from clients; review local rules re filings and administrative motions to file under seal; prepare a penultimate draft of Second Amended Complaint, [REDACTED] [REDACTED] e-mail to clients and associated counsel 8.0	350.00/hr	2,800.00
7/18/2017	350.00/hr	4,900.00
7/19/2017 Receive and review Received Stamped Proposed Order Granting Administrative Motion to File Under Seal, to File Second Amended Complaint, and to Set Date for Service;  Received Stamped Administrative Motion to File Under Seal, in conformance with Civil L.R. 7-11, 79-5, and 31 U.S.C. section 3730(b)(2) [including motion to amend and to set due date(s) for service];  Received Stamped Second Amended Complaint for Damages and Other Relief Under the False Claims Act and Other Claims Including Wages and	45.00/hr	4.50

Gregor Lesnik

Page 19

		<u>Rate</u>	<u>Amount</u>
	Visa Based Claims, Collective and Class Action Claims, Labor Trafficking Claims, and RICO Claims		
7/19/2017	conference with Danijel; complete for filing Second Amended Complaint, administrative motion, proposed Order; file paper copies of pleadings, deliver chambers copies to Court Clerks office; receive e-notice of filing proposed Order, and e-notice of filing under seal Second Amended Complaint and Administrative Motion; save record that other pleadings not accessible to public using PACER 5.0 E-mail to Rand, call with Rand re public case status .2	350.00/hr	1,820.00
7/20/2017	e-mails with Emily Rand .1	350.00/hr	35.00
7/23/2017	organize scanned cover pages and compile pdf of filed pleadings and administrative motion to file under seal; e-mail to Hancock; e-mail to clients .5	350.00/hr	175.00
7/24/2017	[REDACTED]	350.00/hr	35.00
7/26/2017	[REDACTED] Organize documents and pleadings .2	350.00/hr	105.00
7/28/2017	[REDACTED] [REDACTED] save memos of call from Novoselac, [REDACTED] 3.0	350.00/hr	1,050.00
7/29/2017	call with Emily Rand, text and e-mail re news broadcast, view CBS On Assignment, memo re broadcast; view web page of broadcast, scroll through posted information frame by frame, save information re CBSN identified involved companies, save screen shots 2.5	350.00/hr	875.00
	save prior filed pleadings not downloaded because under seal, including initial complaint, service of April 2017 declination to intervene, April 2017 Order to unseal; prepare Certificate of Service, scan for filing, e-file .7	350.00/hr	245.00
8/1/2017	[REDACTED]	375.00/hr	112.50
8/2/2017	view CBSN website, view video of making broadcast, save screen shots of video, prepare memo of key words from video 2.0	375.00/hr	750.00

Gregor Lesnik

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		<u>Rate</u>	<u>Amount</u>
8/3/2017	[REDACTED]	375.00/hr	37.50
8/4/2017	[REDACTED]	375.00/hr	187.50
	Discuss with staff corroborating information from CBSN broadcast and clients role .2		
8/5/2017	save notes and memo re CBSN On Assignment broadcast and re video about making the broadcast .3	375.00/hr	112.50
8/6/2017	save company statements in response to CBS New Reporting [REDACTED] [REDACTED]	375.00/hr	2,025.00
	Prepare drafts of anticipated requests to produce 3.0 Research FOIA requests, save directions, memo re draft FOIAs 1.0 E-mails and calls with Stjepan Papes .2 Conduct internet search for companies and for related and linked information: [REDACTED]		
	[REDACTED] HD Mont, [REDACTED] 3.0		
8/7/2017	[REDACTED]	375.00/hr	262.50
8/8/2017	receive Order allowing filing under seal, download, save, calendar; e-mails to clients; call with Travancic, e-mail to Hancock [REDACTED] 1.0	375.00/hr	375.00
8/9/2017	conduct investigation and save information re employers, consultants, facebook and video confirmation of clients claims, and Papes visa, employment and time sheets 1.0	375.00/hr	375.00
8/10/2017	consultation with immigration law attorney Grbeshi, e-mail to Hatixhe Grbeshi .2	375.00/hr	75.00
8/13/2017	call with and e-mails with immigration law attorney Grbeshi .3 Calls and e-mails with labor and Comp law attorney Gutierrez .2	375.00/hr	187.50

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	<u>Rate</u>	<u>Amount</u>
8/13/2017 e-mails and call with Stjepan; save Lansing Michigan information 1.0 E-mails with litigator Abbott re service on foreign defendants .1	375.00/hr	412.50
8/14/2017 research service on foreign entities and other defendants, memo to file 1.0 E-mails with Grbeshi .1	375.00/hr	412.50
8/15/2017 Call Haxtihe Grbeshi .1	375.00/hr	37.50
8/30/2017 e-mails with Hancock .1	375.00/hr	37.50
8/31/2017 Call from Bay Area News, memo to file .1  e-mails with Hancock .1	75.00/hr  375.00/hr	7.50  37.50
9/4/2017 e-mail from Michael Hancock to reschedule .1	375.00/hr	37.50
9/5/2017 call Michael Hancock; save scan signed Papes retainer, e-mail to Hancock .2	375.00/hr	75.00
9/18/2017 e-mails with Papes .1	375.00/hr	37.50
9/28/2017 conf with Lou Hansen of Mercury News .2 Obtain file-endorsed SAC as applied for, scan, save, e-mail to clients and proposed associated counsel; print. [REDACTED] [REDACTED] prepare Administrative Motion Re Filing Under Seal the Certificate of Service, prepare proposed Order; organize for filing, e-file; receive e-notice of filing under seal 2.0	375.00/hr	825.00
9/30/2017 receive and save Order granting administrative motion to file under seal .1	375.00/hr	37.50
10/2/2017 e-mails with Michael Hancock re anticipated fees and costs of litigation .1	375.00/hr	37.50
10/3/2017 [REDACTED]	375.00/hr	262.50



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		<u>Rate</u>	<u>Amount</u>
10/3/2017	[REDACTED]	375.00/hr	75.00
10/4/2017	[REDACTED]	375.00/hr	37.50
	[REDACTED]	375.00/hr	37.50
	E-mail from Michael Hancock .1	375.00/hr	37.50
	E-mail to Papes .1	375.00/hr	37.50
10/5/2017	receive, execute and save co-counsel agreement with Cohen Milstein; letter to Hancock, letter to Cohen Milstein NY office enclosing records .5	375.00/hr	187.50
	E-mails with Stjepan Papes, Gregor Lesnik, Michael Hancock .3	375.00/hr	112.50
	E-mail from Stjepan .1	375.00/hr	37.50
10/6/2017	[REDACTED]	375.00/hr	37.50
	call with Danijel Travancic re status .4	375.00/hr	150.00
10/8/2017	Locate employee names, contact info, and visa information, and add to spreadsheet	75.00/hr	450.00
	call with Stjepan Papes .6	375.00/hr	225.00
	[REDACTED]	375.00/hr	37.50
	[REDACTED]	375.00/hr	37.50
10/9/2017	[REDACTED]	375.00/hr	NO CHARGE
	[REDACTED]	375.00/hr	NO CHARGE

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		<u>Rate</u>	<u>Amount</u>
10/9/2017	[REDACTED]	375.00/hr	37.50
	[REDACTED]	375.00/hr	150.00
	E-mails to Stjepan and Gregor about developments, status and representation .3	375.00/hr	112.50
	Discuss with staff creating spreadsheet and program to evaluate damages .1 (partially charged)	375.00/hr	37.50
	call with Gregor .3	375.00/hr	112.50
10/10/2017	Receive and review Notice of Substitution of Counsel	375.00/hr	37.50
	Receive and review Return Receipt from AUSA Sara Walker's office;	375.00/hr	37.50
	[REDACTED]	375.00/hr	300.00
	[REDACTED]	375.00/hr	75.00
	memo of named defendants, begin spreadsheet for service purposes .3	375.00/hr	112.50
	Research re [REDACTED] labor certification, visa fraud, and [REDACTED] memos to file 2.0	375.00/hr	750.00
	[REDACTED]	375.00/hr	NO CHARGE
	E-mail to Stjepan and Gregor re status and all issues pending .4	375.00/hr	150.00
	Locate and save lists of Vuzem workers and hours at Tesla, in Lansing, MI; investigate, discuss with staff, and discuss with IT conversation to excel .3	375.00/hr	112.50

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		<u>Rate</u>	<u>Amount</u>
10/10/2017	E-mails from and to Jessica Hurtado re assignment of Kim Friday .1	375.00/hr	37.50
	Translate list .1	375.00/hr	37.50
	[REDACTED]	375.00/hr	37.50
10/11/2017	Researched and gathered information for Service of process of Complaint 6.0	75.00/hr	450.00
	discuss with staff obtaining addresses and service information for named defendants .2	375.00/hr	75.00
	[REDACTED]	375.00/hr	562.50
	[REDACTED]	375.00/hr	37.50
	E-mails with Emily Rand of CBS .1	375.00/hr	37.50
10/12/2017	Researched and gathered information for Service of process of Complaint	75.00/hr	281.25
	discuss with staff gathering defendant address and service information, assist in internet searches for corporate records .4	375.00/hr	150.00
	[REDACTED]	375.00/hr	NO CHARGE
	[REDACTED]	375.00/hr	112.50
	[REDACTED]	375.00/hr	37.50
	[REDACTED]	375.00/hr	75.00
10/13/2017	[REDACTED]	375.00/hr	37.50

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		<u>Rate</u>	<u>Amount</u>
10/16/2017	Researched Business in complaint for Service of process of Complaint 4	75.00/hr	300.00
	[REDACTED]	375.00/hr	450.00
	[REDACTED]	375.00/hr	NO CHARGE
	research re visas and applicable statutes and regs; save statutes and regs and highlight in memos, [REDACTED] 1.5	375.00/hr	562.50
	Assist in creating and adding data for service spreadsheet .3	375.00/hr	112.50
10/17/2017	Service of Process of Business Entity	75.00/hr	300.00
	Service of Process of Business Entity 4.0	75.00/hr	300.00
	[REDACTED]	375.00/hr	375.00
	[REDACTED]	375.00/hr	112.50
	[REDACTED]	375.00/hr	150.00
	[REDACTED]	375.00/hr	187.50
	[REDACTED]	375.00/hr	150.00
	[REDACTED]	375.00/hr	75.00
	Discuss with staff further location to search and save information about defendant entity addresses and service locations .2	375.00/hr	75.00

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		<u>Rate</u>	<u>Amount</u>
10/17/2017	E-mails with Gregor and Stjepan, and with Stjepan Papes re consulate official issuing visas .2	375.00/hr	75.00
	[REDACTED]	375.00/hr	75.00
10/18/2017	Service of process research, obtain foreign entity articles, update spreadsheet 7.0	75.00/hr	525.00
	discuss with staff saving articles and corporate records of defendant entities .2	375.00/hr	75.00
	[REDACTED]	375.00/hr	750.00
10/19/2017	Researching Business entities 4.0	75.00/hr	300.00
	discuss with staff corporate information for defendants .2	375.00/hr	75.00
	Conference with Dan Gutierrez, and with Karl Olson 1.0	375.00/hr	375.00
	E-mail from Stjepan that Ljubljana consulate no longer issuing B1 visas .1	375.00/hr	37.50
10/20/2017	research re construction worker visas, memo to file 1.3	375.00/hr	487.50
	E-mail from Papes re Vuzem workers under new named entity .1	375.00/hr	37.50
10/21/2017	[REDACTED]	375.00/hr	1,500.00
	[REDACTED]	375.00/hr	37.50
10/22/2017	call with Stjepan Papes 1.2	375.00/hr	450.00
10/23/2017	Worked on International Business Entities 4.0	75.00/hr	300.00

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	<u>Rate</u>	<u>Amount</u>
10/23/2017 [REDACTED]	375.00/hr	37.50
review investigation of corporation entities; conduct search for US affiliates of foreign entities .5	375.00/hr	187.50
10/24/2017 Worked on International Business Entities 4.0	75.00/hr	37.50
organize file notes .5 (no charge)	375.00/hr	NO CHARGE
research quantum meruit rights under California, Michigan and other state laws, add to memo re wages claims and potential recoveries, save jury instructions and statutes 3.0	375.00/hr	1,125.00
10/25/2017 Locate employee names, contact info, and visa information, and add to spreadsheet	75.00/hr	450.00
discuss sorting out information and documents by employees .2	375.00/hr	75.00
Research re discovery of employee contact information, memo to file 1.0	375.00/hr	375.00
Type up notes of call with Stjepan .3 (no charge)	375.00/hr	NO CHARGE
research re FOIA counsel .2	375.00/hr	75.00
View videos, review memos from client conversations, prepare and save memo of key word search re other involved parties; memo of electronic documents to request from Eisenmann; memo of identified defendants 2.0	375.00/hr	750.00
Research immigration attorneys .7	375.00/hr	262.50

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	<u>Rate</u>	<u>Amount</u>
10/25/2017 Research re trafficking claims 1.5	375.00/hr	562.50
10/26/2017 update and add to research re immigration attorneys .2	375.00/hr	75.00
Update and add to memo of documents and electronic files for Eisenmann to produce .3	375.00/hr	112.50
[REDACTED]	375.00/hr	375.00
Memo re employers and locations .4	375.00/hr	150.00
Revise and save memo re trafficking .3	375.00/hr	112.50
Memo of workers who had been directly employed by Vuzem who are not working in Vance, Alabama .2	375.00/hr	75.00
E-mail to and from Karl Olson .1	375.00/hr	37.50
10/27/2017 organize files and documents .5 (partially charged)	375.00/hr	187.50
10/29/2017 e-mail from Papes, Call with Stjepan Papes; research EU rules on prevailing wages, translate into English regulations 1.0	375.00/hr	375.00
10/30/2017 research re money laundering, memo to file .4	375.00/hr	150.00
prepare FOIA letters to State Department, scan FOIA requests, e-serve FOIA requests 1.0	375.00/hr	375.00
Discuss with staff status of hand entering employee information into spreadsheet .2	375.00/hr	75.00
[REDACTED]	375.00/hr	37.50
Research [REDACTED] and visas, and save computer research results pages and key decisions 2.0	375.00/hr	750.00

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	<u>Rate</u>	<u>Amount</u>
10/31/2017 Locate employee names, contact info, and visa information, and add to spreadsheet 6.0	75.00/hr	450.00
memorandum re FOIA counsel, draft memo to counsel .5	375.00/hr	187.50
Save LinkedIn information for workers and supervisors including for other employing entities .2	375.00/hr	75.00
E-mails re scheduling teleconference .1 (no charge)	375.00/hr	NO CHARGE
call with Karl Olson; e-mail to attorney Olson .3	375.00/hr	112.50
Revise draft memo re co-counsel for FOIA requests .4	375.00/hr	150.00
Review additions to hand entered list of workers; locate other information and add to spreadsheet .2	375.00/hr	75.00
E-mail to Gregor and Stjepan re spreadsheet .1	375.00/hr	37.50
11/1/2017 Locate employee names, contact info, and visa information, and add to spreadsheet 5	75.00/hr	37.50
[REDACTED]	375.00/hr	112.50
[REDACTED]	375.00/hr	75.00
Discuss with staff adding to service spreadsheet .2	375.00/hr	75.00
[REDACTED]	375.00/hr	112.50
Locate and extract deposition testimony re Premuzic as supervisor .2	375.00/hr	75.00
Pacer search and save docket .1	375.00/hr	37.50



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	<u>Rate</u>	<u>Amount</u>
11/1/2017 E-mail from Papes, save Vuzem demanded Confidential Release of Claims, evaluate same .2	375.00/hr	75.00
E-mail to clients updated list of other workers .1	375.00/hr	37.50
11/2/2017 Locate employee names, contact info, and visa information, and add to spreadsheet 7	75.00/hr	525.00
multiple e-mails with Stjepan Papes; locate and save Facebook information for Sasa Varzic of Vuzem, Ivica Vugrinec, Puskaric Tine, Komes Sinisa, Grobeink, Aljosa Brobeinik from 2011 and later, Kristijan Rugani, Krno Rugani, Mihael Decko, Dalibor Bjegovic, Ratislav Hrehas at Mercedes and Tesla; direct additions to spreadsheet of employee; e-mails with Papes 1.5	375.00/hr	562.50
Research liability for joint employer 1.0	375.00/hr	375.00
[REDACTED]	375.00/hr	375.00
Forward to Palmer information from Papes about new business by human trafficking convict Premuzik; e-mail from Palmer .1	375.00/hr	37.50
[REDACTED]	375.00/hr	37.50
11/3/2017 save BMW articles and 2017 Statements .2	375.00/hr	75.00
E-mails (6) from and to (3) Papes re recent Vuzem actions; research plant locations for entities, inquiries about employees and locations of employment .6	375.00/hr	225.00
11/4/2017 Call with Stjepan Papes; multiple e-mails with Stjepan, receive and save Slovenian language release prepared by Vuzem .4	375.00/hr	150.00
[REDACTED]	375.00/hr	375.00
[REDACTED]	375.00/hr	225.00
[REDACTED]	375.00/hr	75.00

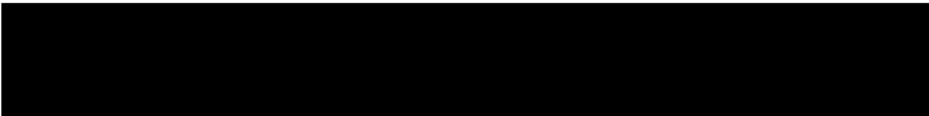

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	<u>Rate</u>	<u>Amount</u>
11/4/2017 Memo to add employees to list .3	375.00/hr	112.50
11/5/2017 Call and e-mail with Danijel Travancic re status of investigation, pleadings, retention of co-counsel and government intervention .6	375.00/hr	225.00
add to draft attachment of defendants, prepare Summons .5	375.00/hr	187.50
E-mail from Papes, research EU equal wages in hiring state, memo to file .3	375.00/hr	112.50
E-mail from Papes, save information about workers for other entities, and other entities not named in Second Amended Complaint .4	375.00/hr	150.00
Short call with Stjepan Novoselac, schedule time to talk .1	375.00/hr	37.50
Call with Stjepan to discuss many topics including representation; E-mail to Webber to schedule interview of Papes .7	375.00/hr	262.50
Locate and save State Department statement re visa applications and Office of Fraud Prevention in response to Congressional inquiry .2	375.00/hr	75.00
Memo to Karl Olson re assistance on Public Records Act requests .4	375.00/hr	150.00
11/6/2017 Locate employee names, contact info, and visa information, and add to spreadsheet	75.00/hr	450.00
attempt call with Stjepan Novoselac using Viber, call with Stjepan Papes .6	375.00/hr	225.00
[REDACTED]	375.00/hr	75.00
11/7/2017 Research defendants entities 6.0	75.00/hr	487.50
[REDACTED]		
Emails and calls with abcLegal re process service .2		
Email to Legal Language re same .2		

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	<u>Rate</u>	<u>Amount</u>
11/7/2017 prepare for and call with Stjepan Novoselac; memo to file .4	375.00/hr	150.00
E-mail from Papes, save attachment of employee list, add to list of employees .2	375.00/hr	75.00
Research Wisconsin job sites, Harley Davidson, Geely, Mastermold parts for Harley Davidson .4	375.00/hr	150.00
E-mail to Papes re likely job site in Wisconsin .1	375.00/hr	37.50
E-mails with Webber and Papes .1	375.00/hr	37.50
Direct additions to witness list .1	375.00/hr	37.50
Discuss investigation of fees for service on foreign entities, and time frame for service; discuss memo re service out of country .1	375.00/hr	37.50
	375.00/hr	187.50
E-mails with Danijel and Stjepan for readable copy of release Vuzem sent to workers and for information about responses by workers .2	375.00/hr	75.00
Save e-mails of past two weeks .1 (partially charged)	375.00/hr	37.50
11/8/2017 Research defendants entities 7	75.00/hr	525.00
	375.00/hr	712.50
Save records of hours worked for Senad Murathbegovic .2		
Discuss additions to list of employees .1		
Discuss with Webber other class action issues in unrelated proceedings and in this proceeding, memo to file .5 (partially charged)		
research re Tesla recruiters and relationship to Tuscaloosa, Alabama, re Eisenmann AG directors, and related companies .3		
Prepare list for FIOA requests .5		

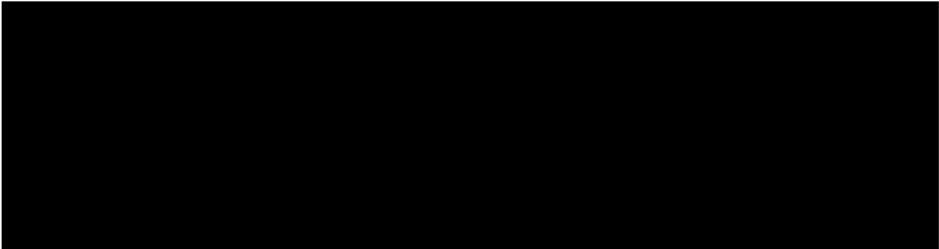
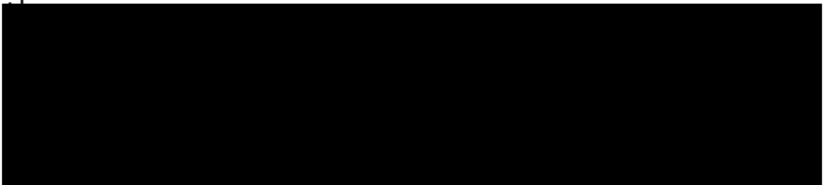




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		<u>Rate</u>	<u>Amount</u>
	E-mail to Stanko Tansek .1		
11/9/2017	Research defendants entities 4.0	75.00/hr	315.00
	Printout spreadsheet and prepared for FedEx .2		
	e-mail from Gregor, save memo re additional information, direct additions to lists .2	375.00/hr	1,012.50
	[REDACTED]		
	E-mails to and from Stanko Tansek .2		
	Update and assist in updating employee and FOIA lists .1		
	Update spreadsheet, check spreadsheet for completeness and accuracy, prepare and complete FOIA to State Department for visa information 2.0		
	[REDACTED]		
11/10/2017	[REDACTED] Research attorneys who have filed or participated in immigration whistleblower actions .3	375.00/hr	487.50
11/12/2017	call with Stjepan Papes; memo to file 1.0	375.00/hr	2,437.50
	[REDACTED]		
	E-mails with Michael Hancock re co-counseling agreement .1		
	[REDACTED]		
11/13/2017	Calls with the District Court, memo to file	75.00/hr	22.50
	[REDACTED]		
	E-mails with Papes re action filed in Slovenia re taxes, save attachments .3	375.00/hr	1,875.00
	Discuss with staff Summons for multiple defendants, discuss call with court clerk		

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	<u>Rate</u>	<u>Amount</u>
.1 (no charge) save summary of Papes lawsuit		
.2 Receive, download, review and save Papes pay records		
.1 		
.4 E-mail from Palmer, save memo re Acceptable B-1 Activities, review same, receive Memo re Enforcement Solution, save		
.3		
11/14/2017 Research and prepared Summons on Business Entities		375.00
	75.00/hr	
discuss with staff obtaining defendant corporate and business addresses		2,100.00
.1 	375.00/hr	
Memo re South Carolina information		
.1 Compare information from memo re Acceptable B-1 Activities, 		
.6 		
Review Summons, prepare memoranda		
.1 		
Review PACER, save docket, review what is and is not under seal; prepare Certificate of Service of Pleadings, convert to pdf, e-file; prepare Administrative Motion to Unseal Complaint, prepare proposed Order; save prior issued Order, upload and e-file		
1.8		
Memo identifying workers denied entry after investigation		
1.0 		

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	<u>Rate</u>	<u>Amount</u>
E-mail to Palmer re policy of State Department to not allow aliens to be construction workers in US		
.4		
Save all e-mails with Palmer		
.1		
E-mail to clients re status		
.3		
11/15/2017 Research business entities		600.00
	75.00/hr	
[REDACTED]		37.50
	375.00/hr	
Call Stjepan		1,537.50
.5	375.00/hr	
E-mails to and from Papes		
.1		
Call and text Danijel Travancic		
.2		
Discuss updates to service spreadsheet, contacts and whereabouts of foreign entities, returned visa worker spreadsheet, preparation of Summons		
.2		
E-mails from Papes, save attachments, memo of statements by Vuzem in opposition to Papes claim; call with Stjepan		
.7		
E-mail from and to State Department re non-immigrant visa records pursuant to FOIA		
.2		
Save e-notice of filing administrative motion to file under seal		
.1		
[REDACTED]		
Memo re Phoenix Mechanical New Mexico entity		
.2 (no charge)		
[REDACTED]		
11/16/2017 discuss with staff form of Summons for each defendant to file in pdf		900.00
.1	375.00/hr	
go to courtroom deputy for Judge Koh to determine status of filings and access by WCD as counsel for Lesnik to documents filed under seal		
1.0		
[REDACTED]		
[REDACTED]		

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	<u>Rate</u>	<u>Amount</u>
[REDACTED]		
11/17/2017 [REDACTED] Review court order re filing, save to pdf SAC, e-file under seal, save e-notice .2	375.00/hr	112.50
11/18/2017 [REDACTED] Research FOIA under federal statute, locate and save DOJ guide for FOIAs, prepare employee list, prepare FOIA to ICE for visa records, save copy of FOIA for ICE records 1.3 Add to draft memo to Karl Olson .5 call with Stjepan Papes; prepare memo of call 1.0	375.00/hr	1,125.00
11/19/2017 Call with Stjepan, memo to file; texts with Emily Rand and with Danijel Travancic 1.0	375.00/hr	375.00
11/20/2017 Research business entities by websites, secretaries of state, and annual reports; add to and revise service spreadsheet, cross-reference to Summons, change Summons to pdf and add attachment of names of defendants 4.0	75.00/hr	300.00

[REDACTED]	375.00/hr	37.50
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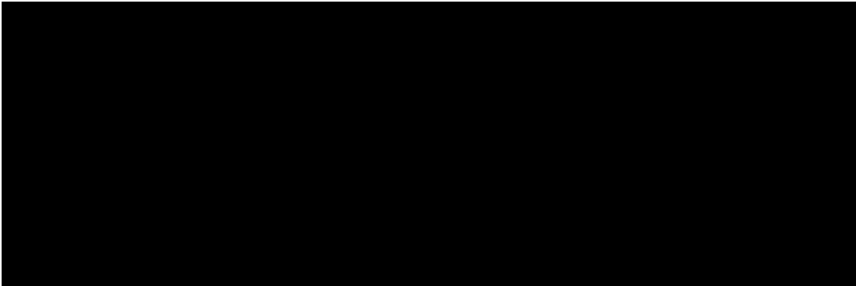
call with Emily Rand, [REDACTED] .2	375.00/hr	450.00
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Review staff notes re service .1 (no charge) prepare initial draft of memo to process servers re service .2		
--	--	--

[REDACTED] Save and review memoranda on quantum meruit damages .2		
---	--	--

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		<u>Rate</u>	<u>Amount</u>
			
11/21/2017	Research business entities by websites, secretaries of state, and annual reports; add to and revise service spreadsheet, cross-reference to Summons, change Summons to pdf and add attachment of names of defendants 5.0	75.00/hr	375.00
	conference with Lou Hansen .4		
	discussion with Bill Abbott .2	375.00/hr	1,012.50
	Memo of witness contacted by CBS, memo re address and contact information; call to Donna Rauch, business owner, Automation Engineering Co, Greenville, South Carolina 1.0		
	E-mail to Rauch confirming my identity .1		
	Discuss with staff service information memoranda .1		
	Receive from Papes a 2016 hours log .1		
	Call to, e-mail to and from Lief Cabraser .1 (no charge)		
			
	Watch CBS morning broadcast .1		
	research Dodd Frank legislative history in response to BMW stating subcontractor responsibility to ensure workers are legal; save pdf of PLAW .4		
	locate and save DS-4230 form Certification of Identity .1		
	Locate, read, and save DOJ McNulty Memo re federal prosecution of business organizations; research exculpation authorities cited in memo .2		
11/22/2017		375.00/hr	412.50
11/23/2017		375.00/hr	37.50
		375.00/hr	37.50





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	<u>Rate</u>	<u>Amount</u>
12/1/2017 Call with Nimish Desai, memo to file, e-mail to Desai, e-mail from Desai, e-mail to Desai .5 (no charge)	375.00/hr	NO CHARGE
save e-filed pleadings by USAG .1	375.00/hr	37.50
Receive information re Cissna talk, call with Emily Rand, memo to file .1	375.00/hr	37.50
[REDACTED]	375.00/hr	75.00
[REDACTED]	375.00/hr	37.50
12/2/2017 [REDACTED]	375.00/hr	525.00
E-mail to attorney Aleksic re withdrawal of Papes= Croatian lawsuit .1		
Research importer trade activity reports, begin draft FOIA request .3		
e-mail to Marjun Aleksic .1	375.00/hr	37.50
[REDACTED]	375.00/hr	375.00
Memo re Office of Trade documents .2	375.00/hr	75.00
[REDACTED]	375.00/hr	37.50
12/3/2017 memo to file re service, draft Rule 26 disclosure, damages calculations, FOIA responses, available causes of action under laws of South Carolina, Alabama, Michigan, Minnesota, and Illinois as well as California, associating counsel, .2	375.00/hr	75.00
[REDACTED]	375.00/hr	412.50
Scan and make searchable FOIA response for Stjepan and for Gregor; extract Certification; e-mail to Stjepan and Gregor .2		

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		<u>Rate</u>	<u>Amount</u>
	Evaluate further activities .2		
12/4/2017	[REDACTED]	375.00/hr	375.00
	Research and investigation re Vuzem corporate counsel Brian Miller .2	375.00/hr	75.00
	Review FOIA response to request for records for Gregor and Stjepan, prepare Certification of Identity for State Department FOIA, e-mails to clients .3	375.00/hr	112.50
12/5/2017	save e-mails with Stjepan and Gregor .1	375.00/hr	75.00
	Locate and save Vertex breach of contract complaint based on hiring workers .1		
	downloaded, cross referenced and organized invoices for company entities 4.	75.00/hr	30.00
	investigation and research re other visa fraud cases, save information .6	375.00/hr	225.00
	Discuss with staff status of obtaining information for foreign entities .1	375.00/hr	37.50
12/6/2017	discuss with staff file organization .2	375.00/hr	75.00
12/7/2017	Research and gather information on business entities for Initial Disclosure, Rule 26 5.	75.00/hr	37.50
	e-mail from Papes requesting assistance in preparing form, e-mail to clients; e-mail from Stjepan, save Certification of Identity .2	375.00/hr	75.00
12/8/2017	e-mail from Papes; review attachment, e-mail to Stjepan to correct .1	375.00/hr	37.50
12/9/2017	e-mail from Papes, save his revised signed Certificate .1	375.00/hr	37.50
12/10/2017	e-mails from and to Stanko Tansek re his information .2	375.00/hr	75.00
12/11/2017	Gathering information on business entities for Initial Disclosure, Rule 26 5.0	75.00/hr	375.00

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	<u>Rate</u>	<u>Amount</u>
12/11/2017 e-mail from Gregor, save signed Certificate .1	375.00/hr	37.50
Complete FOIA to State Department for Lesnik, same for Papes, save to pdf, e-mails to State Department 1.0	375.00/hr	375.00
Research Kaggle spreadsheets for H1B visa applications; download and save spreadsheet, review and analyze data 1.0	375.00/hr	375.00
Receive and save forwarded e-mails of Robert Vuzem to supervisors to not tell employees the hours worked; translate same, analyze significance .2	375.00/hr	75.00
prepare initial 17 pages very rough draft of Rule 26 Disclosure 1.5	375.00/hr	562.50
12/13/2017 Gathering information on business entities for Initial Disclosure, Rule 26 7.75	75.00/hr	581.25
calls with Stjepan .5	375.00/hr	187.50
e-mails with Papes, save Odvetnik Aleksics request to court to dismiss Slovenian action; save English translation of request to court; save English translation of Aleksic e-mail to opposing attorney Stanislave; e-mail to Aleksic .5	375.00/hr	187.50
Discuss defendant management information .1	375.00/hr	37.50
[REDACTED]	375.00/hr	37.50
[REDACTED]	375.00/hr	37.50
12/14/2017 Gathering information on business entities for Initial Disclosure, Rule 26	75.00/hr	525.00
e-mail from Aleksic explaining defendant Vuzem response to Slovenian court request to dismiss .1	375.00/hr	37.50
[REDACTED]	375.00/hr	75.00
Review defendant profile and company information .1	375.00/hr	37.50


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	<u>Rate</u>	<u>Amount</u>
12/14/2017 Save documents re Primuzic as supervisor and as convicted trafficker .2	375.00/hr	75.00
E-mail to Papes re Krunoslav Premuzic .1	375.00/hr	37.50
12/16/2017 discuss additions to employee lists .1 (no charge)	375.00/hr	NO CHARGE
12/17/2017 call with Stjepan Papes .5	375.00/hr	187.50
12/18/2017 Research and gather information on business entities for Initial Disclosure, Rule 26 6.5	75.00/hr	487.50
add to rough draft of Rule 26 Disclosure 1.0	375.00/hr	375.00
Research re current company of convicted Croatian trafficker Krunoslav Premuzic, save information re [REDACTED] including Leon Galun .6	375.00/hr	225.00
Save information re USCIS Director Francis Cissna .2	375.00/hr	75.00
Locate, save, and analyze CRS Report for Congress on Hurricane Katrina-related immigration issues and legislation .7	375.00/hr	262.50
Update, add to, and revise memorandum re damages calculation 1.5	375.00/hr	562.50
[REDACTED]	375.00/hr	37.50
[REDACTED]	375.00/hr	37.50
E-mails with Desai re consultation and information .2	375.00/hr	75.00
Locate and save form to request Croatian court records re Premuzic .1	375.00/hr	37.50
12/19/2017 Research and gather information on business entities for Initial Disclosure, Rule 26	75.00/hr	75.00

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		<u>Rate</u>	<u>Amount</u>
12/19/2017	Gather information re US State Dept, foreign Affairs Manual and Handbook, save to server	75.00/hr	225.00
		375.00/hr	337.50
	Locate, download, and save Foreign Affairs Manual and subparts of FAM, and parts of FAH (handbook), direct staff to complete download and compilation, analyze same 2.0 (partially charged)	375.00/hr	750.00
	review and revise damages calculations memorandum .5	375.00/hr	187.50
		375.00/hr	37.50
	Research re counsel involved in prior litigations .2	375.00/hr	75.00
12/21/2017	prepare for teleconference re pending claims and association of counsel; memo to file 1.0	375.00/hr	375.00
		375.00/hr	37.50
12/26/2017	Research and gather information on business entities for Initial Disclosure, Rule 26 2.	75.00/hr	150.00
	save DS-4240 Certification of Identity .1	375.00/hr	37.50
	add to draft Rule 26 Disclosure 1.0	375.00/hr	375.00
12/28/2017	Research and gather information on business entities for Initial Disclosure, Rule 26 December 28, 2017 7	75.00/hr	525.00
			

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		<u>Rate</u>	<u>Amount</u>
12/28/2017	■ e-mails with State Department re FOIA .1	375.00/hr	37.50
	Discuss research of defendant entity corporate officers; review list, direct contact with clients .2	375.00/hr	75.00
1/2/2018	Research and gather information on business entities for Initial Disclosure, Rule 26 [REDACTED] 7	75.00/hr	525.00
	review additions to draft Rule 26 Disclosure .2	375.00/hr	75.00
1/4/2018	Research and gather information on business entities for Initial Disclosure, Rule 26 [REDACTED] 7	75.00/hr	525.00
	locate Congressional Testimony re impact of high-skilled immigration on US workers; download, save and review .3	375.00/hr	112.50
1/6/2018	research sample FOIA complaint and Vaughn motion, save drafts .5 Locate and save Fact Sheet for Wage Requirements under the H-2B visa issued by US Dept of Labor .4	375.00/hr	337.50
1/7/2018	call with Stjepan Papes 1.0	375.00/hr	375.00
1/8/2018	[REDACTED] [REDACTED] e-mails with Papes about contacts with and availability of Odvotnik Marijan Aleksic .1	375.00/hr 375.00/hr	37.50 37.50
1/9/2018	receive e-notice and save Order unsealing Second Amended Complaint .2 [REDACTED]	375.00/hr	112.50
1/11/2018	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	375.00/hr	37.50

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	<u>Rate</u>	<u>Amount</u>
1/11/2018 e-mail to Odvotnik Aleksic re Papes .1	375.00/hr	37.50
1/12/2018 Prepare for service on all 35 defendants 7.	75.00/hr	525.00
save e-filed SAC, docket; locate defendant address information, revise and complete Summons for each defendant; e-file proposed Summons, receive e-notice, save e-filed all Summons, save filed proposed Summons for 35 defendants 1.0	375.00/hr	675.00
Save e-filed certificate of service of draft Summons; save Notice of No Objection to Unseal SAC .1		
round table conference with Alex Weyand, Ben Young, Eric Shaw, Guy Campisano, and Jon Heim 5 (partially charged)		
1/15/2018 prepared draft e-mail to One Legal for service of process .2	375.00/hr	225.00
E-mail to Stjepan re Croatian lawsuit, and need for dismissal without prejudice .2		
E-mail to clients re status, unsealing of SAC, and service .2		
1/16/2018 Prepare for service of Summons and Second Amended Complaint. 7.	75.00/hr	525.00
conduct PACER search for other lawsuits involving Eisenmann, locate Eisenmann lawsuit involving Durr; locate Palmer v Eisenmann docket and complaint, download complaint, election not to intervene, Order unsealing complaint; other unrelated lawsuits; evaluate affect of Palmer complaint on our lawsuit 1.0	375.00/hr	862.50
E-mail to OneLegal re service requests .5		
Call Rapid Legal re service, prepare e-mail to Rapid Legal .4		
Research service statute for South Carolina; add to draft service memo to Rapid Legal .5		
Update Service spreadsheet .5		




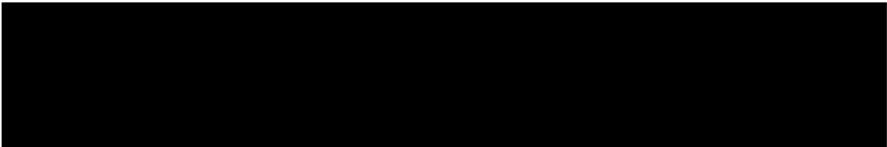
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	<u>Rate</u>	<u>Amount</u>
1/17/2018 Prepare for service of Summons and Second Amended Complaint. 5	75.00/hr	375.00
update list of defendants in alpha order .2	375.00/hr	600.00
Call with One Legal re service .1		
Review and revise service list in Los Angeles .2		
Review and revise service list and memo to One Legal; review updated service request .2		
Review and revise service list and memo for South Carolina .2		
Review and revise service list and memo for Delaware .2		
Receive e-confirmations (8) from One Legal, call One Legal re timing of when to serve; save memo of second services batch to One Legal .3		
Scan and save letter from State Department re FOIA for Gregor Lesnik records; same re Papes records .1		
E-mail to Brandywine Process Services .1		
1/18/2018 	375.00/hr	2,062.50
.1 Research re immigration enforcement actions .1		
		
Locate information for Kevin Dunn of Brandywine Process, E-mails with Brandywine Process, receive POS of Volvo and John Deere, direct filing of proofs of service, receive e-notice of filing POS, save .5		
Calls with docket clerk Diane Miyashiro re Summons, issuance of Summons, and backlog with clerks office .2		
Calls with One Legal about Summons and service .2		
Begin draft translation to Slovenian 2.0		

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		<u>Rate</u>	<u>Amount</u>
	Receive e-notice of issuance of Summons, download and save, print; sort pdf copies for individual defendants (35) .3 (partially charged) e-mail from docket clerk, e-mail to clerk .1 E-mails from One Legal about in progress services .2 multiple calls with One Legal re replacement Summons, e-mails to One Legal .7 Update service spreadsheet .2		
1/19/2018	Receive from One Legal multiple (12) e-mails about status of service .1 receive One Legal copies of proofs of services, save; e-mails and calls with One Legal re service of issued Summons 1.0 (partially charged) update service spreadsheet .2 Continue with draft Slovenian translation 1.0 Prepare detailed status report, translate status report to Slovenian; E-mail to Stjepan, Gregor, Danijel and attorney Webber of detailed report on status of case and anticipated further activities 2.0	375.00/hr	1,612.50
1/20/2018	call with Stjepan; e-mail to Stjepan re translator 1.2  E-mail to Odvetnik Marjan Aleksic .1	375.00/hr	525.00
1/22/2018	Review case status .5	75.00/hr	37.50
	 Discuss service status .2 E-mails with Papes re bills associated with taxes .1	375.00/hr	225.00
1/24/2018	review proofs of service, identify issues with service of correct issued Summons, calls with One Legal, memos to file .5 (partially charged) e-mail from Aleksic, e-mail to Stjepan .1	375.00/hr	262.50

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		<u>Rate</u>	<u>Amount</u>
	E-mails with Papes about service in Croatia and Slovenia .1		
1/25/2018	[REDACTED]	375.00/hr	37.50
	call: Emily Rand; SJ Mercury News (Lou Hanson); Bloomberg Law (Laura D Francis, 703-341-3961, lfrancis@bloomberglaw.com); others .3	375.00/hr	262.50
	call with Stjepan Papes, e-mails re translations .2		
	Discuss status of service .1		
	Receive from One Legal multiple e-mails about status of service .2		
1/26/2018	Receive and review Letters from CT Corp stating that the following are not listed in their records of the State of CA and were unable to forward documents: [REDACTED] Eisenmann Anlagenbau GmbH & Co. KG Eisenmann Anlagenbau Verwaltung GMBH  Letter from CT Corp stating that the following are not listed in their records of the State of DE and were unable to forward documents: [REDACTED] [REDACTED]	375.00/hr	37.50
	locate and save Grassley letter to Department of Labor, Dept of Homeland Security, Secretary of State and Attorney General .1	375.00/hr	450.00
	Locate, save screen shots, and save Facebook posts of workers from other labor subcontractors 1.0		
	Receive from One Legal multiple e-mails about status of service .1		
1/27/2018	Receive from One Legal multiple e-mails about status of service .1	375.00/hr	187.50
	review mtn to sever .2		
	evaluate calls to all media .1		
	evaluate options for co-counsel .3 (no charge)		

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		<u>Rate</u>	<u>Amount</u>
	e-mail to translator Sandra Bojic .1		
1/28/2018	[REDACTED]	375.00/hr	375.00
1/29/2018	Calls to One Legal, memos to file 1.5	75.00/hr	412.50
	Organize and recorded status of all served defendants 4.		
	Receive and review Letter from CT CORP re Eisenmann SE	375.00/hr	37.50
	Receive from One Legal multiple e-mails about status of service 1	375.00/hr	750.00
	[REDACTED]		
	[REDACTED]		
	[REDACTED]		
	[REDACTED]		
	[REDACTED] research re South Carolina probate statutes of limitations; memo to file 1.0		
	Prepare narrative memo re status of service .3		
	Prepare draft request for extension of time to serve .2		
	[REDACTED]		
	Call with One Legal re service .2		
	[REDACTED]		
1/30/2018	Call from One Legal and went over entities served, memo to file .6	75.00/hr	67.50
	Worked on service issues 3.		
	calls with One Legal about service and as required re-service with issued Summons .2	375.00/hr	1,200.00
	[REDACTED]		

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	<u>Rate</u>	<u>Amount</u>
<div style="background-color: black; height: 1.2em; width: 100%;"></div> Save CT and CSC rejections of service .1 Call with Padraic Foran for Tesla, e-mail from and to Foran confirming agreement re service and extension of time to respond to Second Amended complaint .3		
<div style="background-color: black; height: 1.2em; width: 100%;"></div> E-mail to One Legal to remove parties from re-service request of issued Summons .1		
<div style="background-color: black; height: 1.2em; width: 100%;"></div> E-mail to One Legal re remaining needed re-services, needed declarations of due diligence .2		
<div style="background-color: black; height: 1.2em; width: 100%;"></div> Review call to attorney Bernstein, call to attorney Desai .1 Review multiple district court instructions for requesting summons, save FAQs .1 (partially charged)		
<div style="background-color: black; height: 1.2em; width: 100%;"></div> Review ND General Orders, Complete Administrative Motion to Enlarge Time to Serve, prepare proposed Order, convert to pdf, e-file 1.0 Review memo of call from Aaron Bernay for Eisenmann Corp .1		
1/31/2018 Several calls with One Legal, memos to file .5	75.00/hr	112.50
Get overseas docs ready for service, prepared letter shell for service .5		
Update service spreadsheet .5		
receive multiple e-mails re service, and review multiple proofs of service, .2 Receive e-confirmation of filing administrative motion .1 Research local rules, print copy for chambers, direct delivery to court .2	375.00/hr	487.50
<div style="background-color: black; height: 1.2em; width: 100%;"></div>		

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		<u>Rate</u>	<u>Amount</u>
	Direct updates to service spreadsheet .2 [REDACTED]		
2/1/2018	[REDACTED]	375.00/hr	562.50
	[REDACTED] e-mail from potential associate counsel Hancock, e-mail to Papes, texts with Papes, forward to new e-mail address .2 Prepare retainer, e-mail to Papes .3 (no charge)	375.00/hr	NO CHARGE
2/2/2018	Receive and review Order Granting Administration Motion to Enlarge Time to Serve Second Amendment Complaint filed on 2-1-18	375.00/hr	37.50
	[REDACTED] E-mails from One Legal with confirmation report for services of process, review .1	375.00/hr	225.00
2/3/2018	organize notes re defendants and service .5 (no charge)	375.00/hr	NO CHARGE
2/4/2018	organize file 1.0 (no charge)	375.00/hr	NO CHARGE
2/5/2018	[REDACTED]	75.00/hr	15.00
2/6/2018	e-mail from Papes, prepare and save memo re Branko Tomas arranging for jobs for HRID-Mont to work in Michigan .2 [REDACTED]	375.00/hr	412.50
	E-mail from Bojic re completing translation to Croatian .1		
2/7/2018	Prepared memos of WCD research .5	75.00/hr	37.50

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		<u>Rate</u>	<u>Amount</u>
2/7/2018	<div style="background-color: black; width: 400px; height: 30px; margin-bottom: 5px;"></div> research re local rules for stipulations to change time .1 Review notes identifying witnesses, employers, locations and time periods compared to Facebook posts .2 E-mails with One Legal re service; identify by name digital copies of service documents, evaluate service on named Labor Subcontractors under fictitious names .5 E-mail from and to attorney Bernay for Eisenmann re requests for both Eisenmann and Tesla for extensions of time, and re foreign entity appearance .1 E-mail from attorney Foran of Tesla accepting service of Summons .1 <div style="background-color: black; width: 570px; height: 80px; margin-top: 10px;"></div>	375.00/hr	525.00
2/8/2018	Updating pos info., calls to One Legal, memos to file 4.  Call from attorney Bernay re Eisenemann, memo to file .1 <div style="background-color: black; width: 530px; height: 40px; margin-top: 10px;"></div> Call with attorney Bernay for Eisenmann .2 Call with One Legal re service .1 E-mails with translator Bojic .1 <div style="background-color: black; width: 545px; height: 60px; margin-top: 10px;"></div>	75.00/hr	307.50
		375.00/hr	450.00
2/9/2018	Review emails and update service spreadsheet, prepare POS Shell with updated information 1. <div style="background-color: black; width: 540px; height: 35px; margin-top: 10px;"></div>	75.00/hr	75.00
		75.00/hr	15.00

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		<u>Rate</u>	<u>Amount</u>
	[REDACTED]		
2/9/2018	[REDACTED] Receive payment instructions for translation, issue payment, save transaction .1	375.00/hr	412.50
	[REDACTED] E-mail from atty Foran, Prepare stipulation for Tesla to extend time to respond, sign stipulation, e-mail to Foran .3 E-mail from Foran .1		
	[REDACTED] Email from and to translator Bojic .1		
2/10/2018	[REDACTED] E-mail from translator Bojic .1 E-mail to Travancic of detailed instructions for service of process on seven entities and two individuals in Croatia and Slovenia .5 E-mails re Mos still at Tesla, and service at all locations .2	375.00/hr	375.00
2/11/2018	[REDACTED] Research FRCP and Local Rules for motion for leave to file amended complaint .2	375.00/hr	337.50
	[REDACTED]		
2/12/2018	[REDACTED] Research and save drafts for future motion for issuance of subpoenas .2 Update counsel list 1	375.00/hr	787.50
	[REDACTED] Call to Foran, e-mail from Foran requesting Plaintiff file stipulation for Tesla		







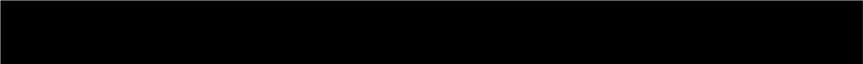

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	<u>Rate</u>	<u>Amount</u>
.1 Scan, save, prepare to e-file extension of time for Tesla .1 		
2/13/2018 update service file, calls with One Legal, memos to file, update spreadsheet 6.	75.00/hr	450.00
update service spreadsheet .2	375.00/hr	450.00
Call with One Legal re service .2		
Review and save declaration of due diligence for service on Vuzem USA, Inc. .1 		
Call with Stjepan Papes re names of other labor contractor entities .1 		
E-mail to Papes re WCD observing two males wearing Tesla jacket and wearing We-Kr jacket on street in San Jose today .1		
2/14/2018 Sort out serving issues, worked on Spreadsheet 6.0	75.00/hr	450.00
2/15/2018 e-mails with Papes and Lingua Soft, e-mail from Lingua-Soft d.o.o. re proposal .2	375.00/hr	225.00
receive from Bojic and save Second Amended Complaint translated to Croatian, print copy, review same .2		
Save invoice .1 		
2/16/2018 research, locate and save handbook re asylum .1	375.00/hr	112.50
E-mail to Lingua-Soft re translation into Slovenian .1		

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		<u>Rate</u>	<u>Amount</u>
	E-mail from Bernay for Eisenmann Corporation, review attached proposed stipulation .1		
2/17/2018		375.00/hr	562.50
2/18/2018	prepare draft of e-mail to Papes re information for service on entities in Croatia, review, compare with service spreadsheet, complete and e-mail .2	375.00/hr	75.00
2/19/2018	Prepared hard files for the 35 defendants, working on spread sheet and working with One Legal, memos to file 5.0	75.00/hr	375.00
		375.00/hr	412.50
	E-mail from Desai re slow response due to bright of child; call with and e-mails with attorney Desai re potential co-counseling and case status .6		
			
	Discuss and update service spreadsheet .1		
			
2/20/2018	Calls with One Legal re status, memos to file .5 Prepared draft Declaration re Service .8 Worked on Spread Sheet 2.0	75.00/hr	247.50
		375.00/hr	675.00
	Prepare and save POS for ISM Vuzem USA .1		
			

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	<u>Rate</u>	<u>Amount</u>
<p>[REDACTED]</p> <p>Research mailing and street addresses, save Eisenmann postings, remove unrelated search data, update service spreadsheet, Prepare waivers of service for Eisenmann entities, .7</p> <p>[REDACTED]</p> <p>Prepare draft Proof of Service list for counsel with contact information .4</p>		
2/21/2018 Calls with One Legal re status, memos to file Preparing Proofs of Service for filing, updating spreadsheet 5.0	75.00/hr	375.00
<p>[REDACTED]</p> <p>.1</p> <p>Save for filing POS on [REDACTED] on Eisenmann Anlagenbacu GmbH &amp; Co KG, Eisenmann Verwaltung, Eisenmann SE, and Eisenmann Corporation, [REDACTED] and non-service report for ISM Vuzem USA and Vuzem USA 1.0</p> <p>E-mails from and to translator Sandra Bojic .1</p> <p>E-mail to attorney Bernay, e-mail from Bernay, save signature page, sign, scan signature page, organize for e-filing .2</p> <p>[REDACTED]</p> <p>Prepare draft declaration re status of service .2</p> <p>E-mail from One Legal, Save to file POS on Citic Dicastal Co .1</p> <p>[REDACTED]</p> <p>E-file Proofs of Service .2</p> <p>Receive, save, and print e-filed pleadings .1 (partially charged)</p> <p>[REDACTED]</p> <p>e-mail to Lingua-Soft .1</p>	375.00/hr	1,387.50
2/22/2018 Calls with One Legal to get remaining POS, memo to file .4	75.00/hr	630.00
Prepared Waiver of Service for Eisenmann SE, Eisenmann Anlag., Eisenmann Anlag. Verwalt, ISM Vuzem doo, ISM Vuzem USA, [REDACTED]		

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		<u>Rate</u>	<u>Amount</u>
	 5.0  Researched postal charges and international postal rules in various countries 3		
2/22/2018	research, locate and save addresses for Eisenmann entities, prepare Rule 4 waivers of service, direct staff to complete waivers of service for all defendant entities, review waivers, discuss postage for international mailing, organize waivers and envelopes, update service spreadsheets and assist staff with the same 3.0  	375.00/hr	1,237.50
	E-mail to Lingua-Soft re payment .1 (no charge)		
2/23/2018		375.00/hr	112.50
2/24/2018	direct scan of waivers of service .1 Memo re workers compensation insurance verifications .1  e-mails with Papes about status of services .1	375.00/hr   375.00/hr	75.00   37.50
2/26/2018	 Updated POS and POS Shell.212 .3 Researching postal services 2  	75.00/hr     375.00/hr	195.00     150.00



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	<u>Rate</u>	<u>Amount</u>
[REDACTED]		
Discuss with staff tasks to locate, research and save defendant and defendant representative contact information especially for Vuzem entities .1 (partially charged)		
prepare, scan and save envelopes and letters to Vuzem American entities and Branko Tomas at multiple locations		
.3		
E-mail from Nenad Modic re contact information		
.1		
E-mail from Travancic to Modic		
.1		
[REDACTED]		
3/2/2018 [REDACTED]	400.00/hr	160.00
3/3/2018 [REDACTED]	400.00/hr	1,200.00
E-mail to Modic re service and addresses		
.1		
[REDACTED]		
Review e-mails from One Legal re service		
.1		
[REDACTED]		
Locate, save and review Judge Koh standing orders for bench trials, for jury trials, and standing orders for all judges		
.2		
Locate, save and review Model Jury Instructions for Ninth Circuit 2017 edition;		
[REDACTED]		
.5		
Research FOIA opinions policy, save memo		
.2		
Research ambiguity as a defense, save memo		
.1		
[REDACTED]		

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		<u>Rate</u>	<u>Amount</u>
	Research due diligence for corporate liability .1 [REDACTED]		
	Receive e-notice and save appearances pro hac vice and applications for [REDACTED] for Eiselstein, [REDACTED] .2 Locate, download, save and review Civil Local Rules effective January 2018; research applications to appear by phone; locate and save exemplar application to appear by phone .3		
3/5/2018	[REDACTED]	400.00/hr	40.00
	[REDACTED]	400.00/hr	1,240.00
	Discuss updated service spreadsheet, discuss questions for One Legal to followup on service .1 Receive and save Second Amended Complaint translated into Slovenian, skim review same .2 Update mailing list .1 [REDACTED]		
3/6/2018	[REDACTED]	75.00/hr	22.50

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	<u>Rate</u>	<u>Amount</u>
3/6/2018 Update Proofs of service .3	75.00/hr	322.50
Update, spread sheet, prepare separate memo with attachments regarding changes to Complaint 4		
[REDACTED] Review One Legal memo re unsuccessful service .1 Review, revise and complete partial dismissals of Second Cause of Action, counts 1 and 2, convert to pdf, e-file, receive e-notice of filing.2 (partially charged)	400.00/hr	2,640.00
[REDACTED]		
Research, locate, save and analyze other ND California orders on motions for judgment on pleadings .2 E-mails with attorney Bernay for Eisenmann entities re motion to sever and scheduling briefing.2		
[REDACTED]		
Locate and save corporate information re HRID-Mont doo, conduct google maps search, save address.1		
[REDACTED]		
Receive and save e-notices of Orders approving pro hac vice applications.1		
[REDACTED] e		
Update proof of service.1		
[REDACTED]		
3/7/2018 Update files, spreadsheet, and folders, sort and organize new documents for all defendants 5.0	75.00/hr	375.00
[REDACTED]	400.00/hr	1,680.00



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	<u>Rate</u>	<u>Amount</u>
--	-------------	---------------

[REDACTED]  
Save e-mail from Bernay about extension of time to respond to motion to sever, save stipulation, application, proposed Order,

.2

Review local rules, revise proposed stipulation, e-mail to Bernay re stipulation and re need for his declaration under local rules

.3

[REDACTED]  
E-mail from Papes re South Carolina injury

.1

[REDACTED]  
E-mail from Bernay, review and save Bernay declaration to support extension of time, save signature page to stipulation, revised proposed Order; sign stipulation, scan, e-mail to Bernay; e-mail from Bernay, save stipulation, declaration and proposed Order for e-filing; e-file; save e-notice of filed stipulation; e-mail to Judge Koh with cc to Bernay, save

1.0

.1

3/8/2018 Receive and review Order Granting Stipulation to Extended Time for Defendant Eisenmanns Corporation to respond to Plaintiffs Motion to Sever.

400.00/hr

40.00

75.00/hr

390.00

Updating files, reasurching business info on new named defendants,  
5.

400.00/hr

560.00

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		<u>Rate</u>	<u>Amount</u>
	discuss and direct save of HRID Mont doo company profile and identification of director, annual report from AJPES .1		
3/9/2018	organize pleadings of last week .5 (no charge)	400.00/hr	40.00
			
	memo re liability against other labor contractors besides Vuzem persons .2	400.00/hr	80.00
3/11/2018		400.00/hr	520.00
3/12/2018		400.00/hr	40.00
	Case Building 6.0	75.00/hr	450.00
		400.00/hr	160.00
3/13/2018	Organize, track and update files 8	75.00/hr	600.00
3/14/2018	Organize, adding information, track and update files 6.	75.00/hr	450.00
		400.00/hr	240.00

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	<u>Rate</u>	<u>Amount</u>
3/15/2018 Organize, adding information, track and update files 5.	75.00/hr	375.00
discuss with staff organization of documents by employees and defendant entities .1 (partially charged)	400.00/hr	200.00
[REDACTED]		
Save draft table of contents .2		
3/16/2018 e-mails with attachments, save, discuss and direct saving documents for proofs of service, review and direct pdf copies to file; prepare certificate of service on Ivan Vuzem, and on Robert Vuzem; update and review pos for Ivan Vuzem and for Robert Vuzem .6 E-mail to Modic .1	400.00/hr	280.00
3/18/2018 evaluate status of services .2 Organize file and source documents 1.0 (no charge)	400.00/hr	80.00
3/19/2018 Receive and review Statement and Second Amended Complaint translated to Croatian FIBULA SLB	400.00/hr	40.00
Plaintiffs and Relators Gregor Lesnik and Stjepan Papes Initial Rule 26 Disclosures 7.0	75.00/hr	525.00
[REDACTED]	400.00/hr	2,280.00
Assist in preparing to file proofs of service on Ivan Vuzem and on Robert Vuzem; due diligence for service on Robert Vuzem, proof of service on proof of service on ISM Vuzem doo, proof of service on HRD-Mont .5 [REDACTED]		
Locate and save documents re site photos, Tesla profile, Tesla officers and employees; Eisenmann officers and employees 1.2 E-mails with Papes re other injured workers .1 Research re discovery production of employee contracts and identity of employees; research limits of disclosure of medical records in workers comp claims documents to employer; memos to file .2 Research regs re I-9 forms .1 Research and save Elon Musk statements re case		

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	<u>Rate</u>	<u>Amount</u>
.1 E-mails with Stjepan and Gregor re case in Slovenia		
.2 Prepare draft of Rule 26 Disclosure		
3.0		
3/20/2018 Plaintiffs and Relators Gregor Lesnik and Stjepan Papes Initial Rule 26 Disclosures	75.00/hr	375.00
5.  Plaintiffs and Relators Gregor Lesnik and Stjepan Papes Initial Rule 26 Disclosures	75.00/hr	375.00
5.0  discuss with staff locating contact information for Rule 26 Disclosure of witnesses	400.00/hr	560.00
.2 Locate Tesla employee contact information		
.2 [REDACTED]		
E-mails from and to Nenad Modic about proofs of service, review proofs, memo to file		
.2 Update notes for Rule 26		
.2 [REDACTED]		
Update counsel list and addresses		
.2 [REDACTED]		
3/21/2018 [REDACTED]		920.00
[REDACTED] update and add to Rule 26 Disclosure	400.00/hr	
1.0 E-mail with Papes, save attachments from Facebook, add to spreadsheets for workers and defendants		
.2 E-mail to Papes re relevant activities for our lawsuit		
.1 Locate contact information for Eisenmann employees and officers		
.3 [REDACTED]		
Save and respond to e-mails of past week from Danijel Travancic re service		
.1 Save attachments from Modic for service		
.1		



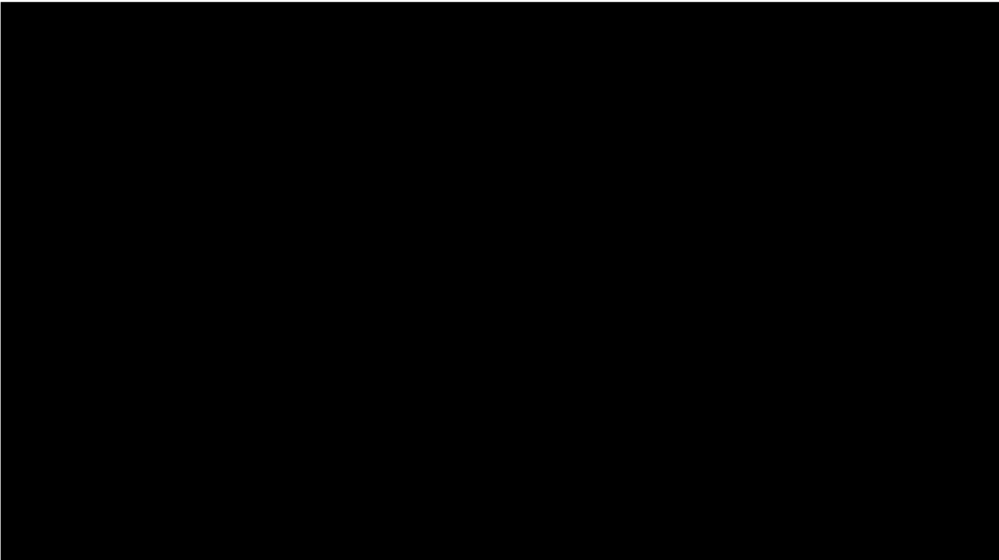
Gregor Lesnik

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	<u>Rate</u>	<u>Amount</u>
Save information for Davorin Hull, [REDACTED] Ivancic .1 Call with Stjepan re parties, locations, and relationship to Eisenmann, memo to file .3		
3/22/2018 Receive and review Service packet to Vuzem was returned	400.00/hr	40.00
Continue to add witness information to draft rule 26 disclosure 6.0	75.00/hr	450.00
locate and save jpeg and pdf internet articles and postings for Eisenmann persons 1.4 For Tesla persons 8 [REDACTED]	400.00/hr	2,120.00
discuss with staff organizing and saving information .1 (partially charged) e-mails (5) from Papes of url addresses for information about witnesses and contracts, locate, view, and save jpg screenshots of information .7 [REDACTED]		
Receive Notices of Appearances, Certificates of Interested Parties for Tesla and for Eisenmann Corporation, evaluate same, download, save and print .2		
3/23/2018 [REDACTED]	400.00/hr	1,480.00

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	<u>Rate</u>	<u>Amount</u>
.2 Research defendants cited authorities .6 		
3/24/2018 locate, save and label: Sowder e-mails, complete settlement agreement with all signatures, defendant drafted requests for dismissal, Joint Request for Dismissal, revised stipulated joint stipulation, supporting declarations and complaints for Alameda Superior Court actions; Application for Adjudication of Claim, Order approving C & R for workers comp proceeding; save, convert to pdf and label for exhibits 4.0 	400.00/hr	3,560.00
3/25/2018 Add to summary of state laws 1.0 Research cases re argument of bar by prior action .6 	400.00/hr	3,920.00
3/26/2018 Continue to add witness information to draft rule 26 disclosure 8.0	75.00/hr	600.00
locate and save Vuzem entity information including for Branko Tomas, save print screens .4 Discuss with staff updates to service spreadsheet	400.00/hr	2,760.00

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RateAmount

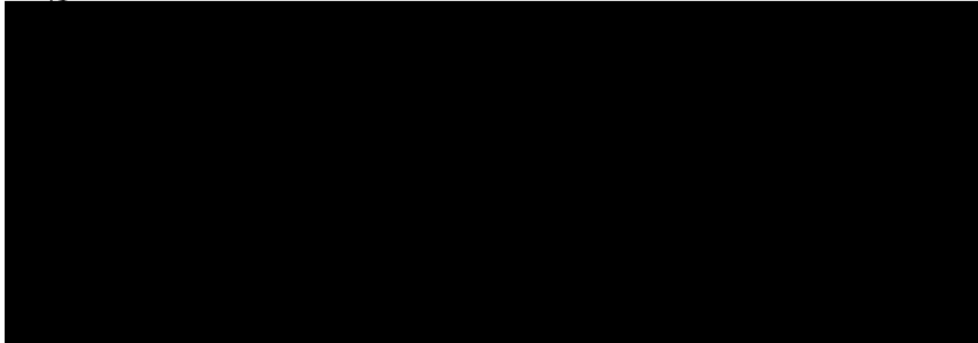
.1

Update Memo / list of potential defendants

.2

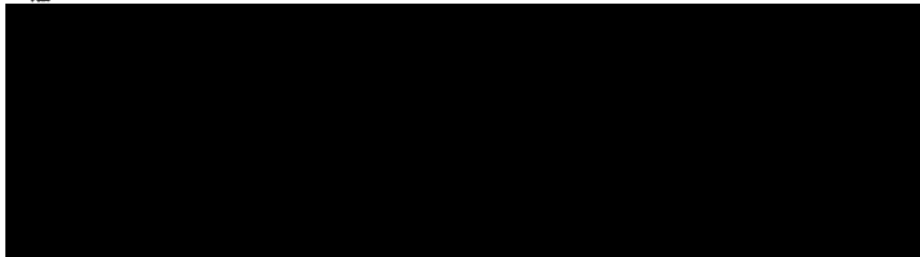
E-mail from Lingua Soft, download and save Slovenian translation of Second Amended Complaint, review same

.3



locate and save HRID-Mont entity information including officer, save print screens

.2



Update memo / list of involved entities not yet named as defendants

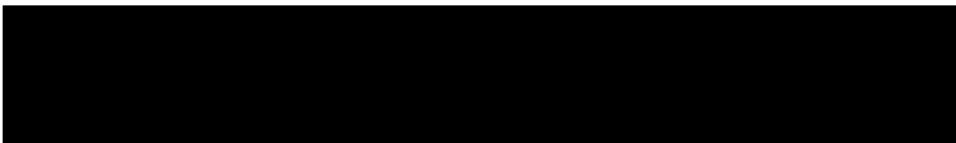
.3

E-mails to and from Papes re locating Robert and Ivan Vuzem at alternative addresses

.1

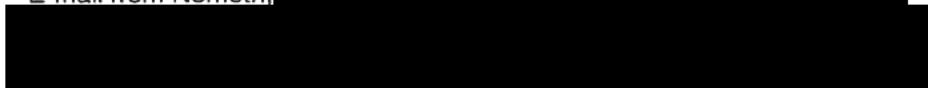
Assist staff to update service spreadsheet

.1



Prepare draft second administrative motion to enlarge time to serve

.5

▪ E-mail from Nemeth, 

Receive e-notice, save e-filed briefs

.1

E-mail to Nemeth

.1

Gregor Lesnik


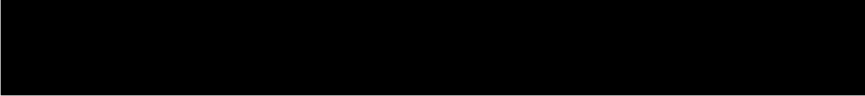
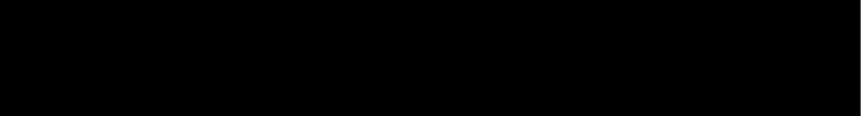
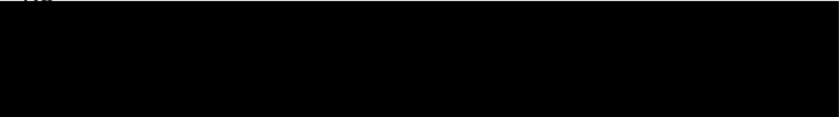



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		<u>Rate</u>	<u>Amount</u>
	Review Carleton government website, locate address information, Prepare FOIA to Carleton .3		
3/27/2018	Continue to add witness information to draft rule 26 disclosure 6.0	75.00/hr	480.00
	Filed [REDACTED] and ISM Vuzem doo Proofs of Service .4		
	file proofs of service, receive e-notice and save filed POS of [REDACTED], ISM Vuzem, d.o.o., and HRID-Mont .2	400.00/hr	800.00
	Receive e-notice of corrected electronic filing error .1 (no charge)		
	[REDACTED]		
	Receive pro hac vice appearance of Burgett for Eisenmann Corporation, save .1		
	Begin draft Rule 26 Disclosure 1.5		
3/28/2018	[REDACTED]	75.00/hr	525.00
	Locate exhibits Administrative Motion to Enlarge Time and assist in preparation of Motion re Vuzem USA, Inc. 4.0		
	Locate exhibits Administrative Motion to Enlarge Time and assist in preparation of Motion re ISM Vuzem USA, Inc 2.		
	add to administrative motion to enlarge time and to serve Vuzem USA, Inc., prepare cover pages, organize exhibits to draft admin motion .7	400.00/hr	360.00
	Locate last contact information for ISM Vuzem USA, Inc., save internet information print screens .2		
	Locate and save POS in Alameda Superior Court action .1		
3/29/2018	Continue to add witness information to draft rule 26 disclosure 4.0	75.00/hr	450.00
	[REDACTED]		
	Locate and save information from Joey D Investigations .1	400.00/hr	840.00



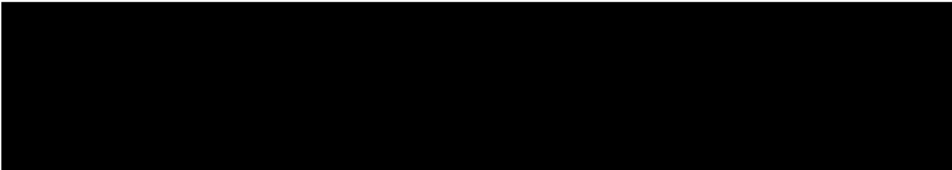
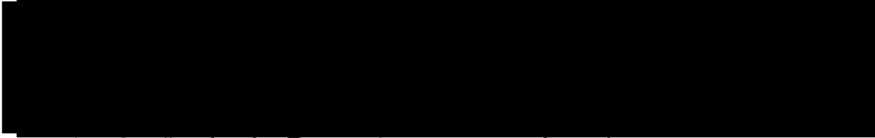


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		<u>Rate</u>	<u>Amount</u>
			
	Review internet articles, E-mails with clients and with witnesses re B-1 worker Bojah Sprah incident at BMW .1		
3/30/2018		400.00/hr	160.00
4/1/2018		400.00/hr	800.00
	Search for, locate, review Facebook pages, Save facebook and internet information for employees of HRID-Mont doo .7 E-mails with Stjepan Papes, Search for information re Michigan factory, search for, locate, review website and Facebook pages for Guardian Glass, Save facebook and internet information, e-mail to Stjepan 1.0		
			
4/3/2018	Receive and review Certified translation from Croatia to Slovenian	400.00/hr	40.00
	Process order for service on Eisenmann SE, Eisenmann Anlagenba. GmbH & Co. KG, Eisenmann Anlagenbau Verwaltung GmbH, 	75.00/hr	56.25
	 .75		
		400.00/hr	80.00
4/4/2018	discuss with staff, and e-mail information, re service and parties .3 Review service information for Brandywine to serve Eisenmann entities in Delaware .1 Discuss with staff filing proofs of service .1	400.00/hr	200.00
4/5/2018	Receive and review letter from Village of Carleton re FOIA request	400.00/hr	40.00

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	<u>Rate</u>	<u>Amount</u>
4/6/2018 Receive and review POS on Eisenmann SE, Eisenmann Anlagenbau, and Eisenmann Anlagenbau Verwaltung on 4/4/18. Invoice from Brandywine Process Service  pos on ISM Vuzem, doo.	400.00/hr	40.00
4/9/2018 Continue to add witness information to draft rule 26 disclosure 5.0	75.00/hr	375.00
	400.00/hr	520.00
Add to draft Rule 26 Disclosure .3		
4/10/2018 Receive and review Branko Tomas docs Returned	400.00/hr	40.00
Continue to add witness information to draft rule 26 disclosure 5.0	75.00/hr	375.00
	400.00/hr	280.00
Receive Application by Bernay to appear pro hac vice .1 Receive e-mail of Foran enclosing proposed Order, save proposed Order .1 receive, download and save Tesla motion to dismiss, and proposed Order .1		
		
Save e-mails from counsel, counsel out of office, and undelivered e-mails from last two weeks -.1 (partially charged)		
4/11/2018 Calls to Village of Carleton, memos to file .3 Continue to add witness information to draft rule 26 disclosure 2	75.00/hr	172.50
print and review motions by Tesla,  .5 Receive LAX joinder in Eisenmann motion to dismiss .1 Review and save multiple e-mails from counsel to and from Docket Clerk	400.00/hr	1,480.00

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		<u>Rate</u>	<u>Amount</u>
	about setting motions .2 Receive, download and save Order granting Bernay application to appear pro hac vice .1 Review e-notices, update service list .2 E-mail from attorneys at Boies, Shiller, download and save redacted and unredacted declarations of West, print, review .4 		
4/12/2018	Continue to add witness information to draft rule 26 disclosure 5	75.00/hr	375.00
	research allegations for private cause of action for trafficking, save memo to file 1.0 Receive service receipts for service in Delaware .1 	400.00/hr	680.00
	Evaluate proof on defendants motions based on evidence issues .2 Call with Daniel J. Gutierrez re workers compensation information, e-mail to Mr. Gutierrez .2 (partially charged) calendar responsive due dates for multiple motions .1 		
4/13/2018		400.00/hr	40.00
	Downloading from Alameda County Court, enhancement/searchable and print of exhibits for Dresser Dec in Oppo to Def motion to file under seal Time: 2.5 	75.00/hr	187.50
	Call with and e-mail with attorney William F. Abbott re pleadings issues .2 E-mail to clients re 12(b)(6) motions and responses and attaching Eisenmann	400.00/hr	1,480.00

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		<u>Rate</u>	<u>Amount</u>
	motion to dismiss .2 [REDACTED]		
	Review and sort Alameda pleadings, scan, save, evaluate actual language of releases, stipulations, and dismissals .5 E-mails to and from attorney Gutierrez .1 Prepare draft insert for MPA re factual allegations supporting coerced labor claims .2 Review and sort workers compensation pleadings re releases and language, save in pdf .2 Prepare draft decl in opposition to Eisenmann administrative motion to file under seal .3 Save exhibit A, prepare exhibit A cover page, add to draft declaration re admin motion .1 Prepare draft insert for MPA re dismissal of claims on basis of settlement terms .4 Locate and save online SJ Mercury News article .1 Locate and save articles re Vuzem .1 Locate and save Malkin on Tesla response .1 Save and name in pdf additional exhibits responsive to Eisenmann admin motion to file under seal, evaluate which are relevant .5 Add to draft MPA in opposition to Eisenmann administrative motion to file under seal .3 E-mails with attorney Bernay re meet and confer .1		
4/14/2018	conduct research on standards for motions to dismiss, memoranda re text for opposition to motions to dismiss 4.5	400.00/hr	1,800.00
4/15/2018	Organized, indexed exhibits for Dresser Dec in Oppo to Def motion to file under seal and updated Dec with exhibits  Time: 4	75.00/hr	300.00
	Direct and assist in creating cover pages for exhibits .1 (partially charged) add to draft declaration in opposition to Eisenmann Admin Mtn to file under seal	400.00/hr	960.00



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	<u>Rate</u>	<u>Amount</u>
E-mail to attorney Gutierrez .1		
4/18/2018 extract facts from Second Amended Complaint for arguments on motions to dismiss 1.5 [REDACTED]	400.00/hr	1,000.00
4/19/2018 e-mail from Papes re facts supporting claims .2 Further e-mail from Papes re facts and contacting other workers and witnesses, save, evaluate for impact on motions .2 Evaluate draft Joint CMC Statement .1 Investigate and save Tesla probe re workplace conditions, save internet information .1 Add substantial additions to MPA in opposition to Eisenmann motion to dismiss 2.0 [REDACTED] Prepare draft Joint Case Management Conference Statement .8 Save statement from Papes, compare to e-mailed information .1	400.00/hr	1,440.00
4/20/2018 Organized, indexed exhibits for WC Ins Verification Alabama and California [REDACTED] receive, save, and prepare to file proof of services on Eisenmann Corporation .1 Machine translate Papes statement .2 (partially charged) add witness identification and contact information to draft Rule 26 Disclosure 2.0 Add to and revise draft MPA in opposition to Eisenmann motion to dismiss 2.0 Add to and revise draft MPA in opposition to Tesla motion to dismiss 2.0 Review index of workers compensation coverage documentation 1.0	75.00/hr  400.00/hr	243.75  2,920.00
4/21/2018 Organized, indexed exhibits for WC Ins Verification Iowa, Michigan, and South Carolina [REDACTED]	75.00/hr	206.25


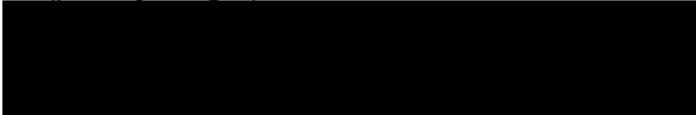
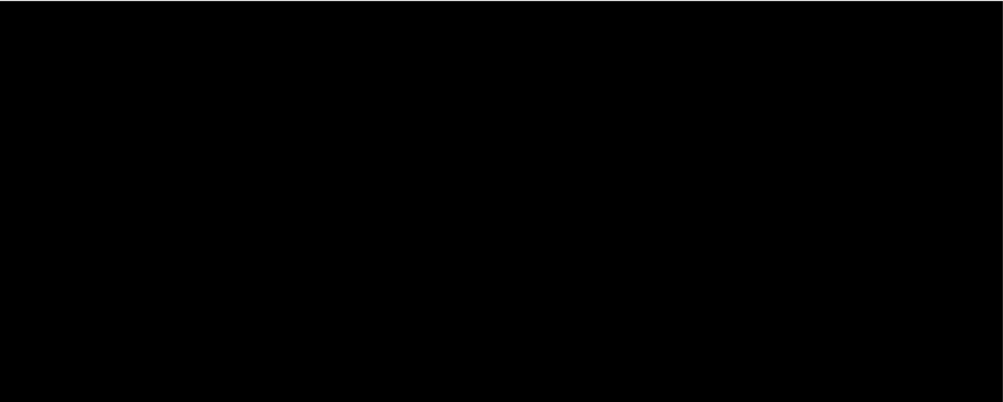

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	<u>Rate</u>	<u>Amount</u>
4/21/2018 direct organization and saving information as to workers comp coverage .2 (partially charged) Review index of workers compensation coverage documentation .1 (partially charged) research standards on motions to dismiss, save memos for inserting into briefs 1.0	400.00/hr	520.00
4/22/2018 prepare penultimate draft of MPA in Opposition to Eisenmann motion to dismiss 5.5	400.00/hr	2,200.00
4/23/2018 Preparing Exhibits for and assist in preparation for Request for Judicial Notice 8.0	75.00/hr	600.00
research [REDACTED] non-immigrant visa regs, authority for CFR, 1.5 Add further witness information to draft Rule 26 Disclosure 1.8 Prepare draft for circulation of MPA in Opposition to Eisenmann motion to dismiss .8	400.00/hr	3,200.00
[REDACTED]		
Attempted e-mails to Emily Rand of CBS .1 Discuss with staff digital cover pages and organization of workers compensation coverage documents .1 E-mails with counsel re scheduling Rule 26 meet and confer .1 Review Tesla website privacy policy .1		
[REDACTED]		
E-mails with Palmer and Rand, locate and save State Department statement re CBS publication; review same .2		
[REDACTED]		

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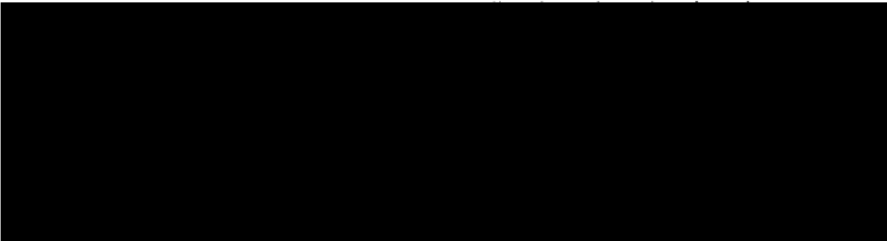
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	<u>Rate</u>	<u>Amount</u>
2.0		
Locate and save Eisenmann press releases		
.1		
Review and complete compilation of exhibits for opposition, save to e-file		
.5		
Prepare proof of service		
.2 (partially charged)		
complete to file declaration in opposition to Tesla motion to dismiss		
1.8		
		
4/24/2018 review status of organizing digital copies of workers compensation coverage documents	400.00/hr	4,120.00
.1 (partially charged)		
		
Research obtaining visa by false statements		
.1		
		
Add to draft MPA opposition to Eisenmann mtn to dismiss		
.5		
Add to draft MPA opposition to Tesla mtn to dismiss		
.5		
Complete to file MPA opposition to Tesla mtn to dismiss		
.5		
		
Review index to WC Insurance Verifications		
.1		
Receive and save invoice for services in Illinois		
.1 (no charge)		
prepare to file POS on Eisenmann SE, Eisenmann Anlagenbau GnbH, and Eisenmann Anlagenbau Verwaltung GmbH		
.1		
Research FRCP, review notes to FRCP, prepare request for judicial notice		
.6		



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	<u>Rate</u>	<u>Amount</u>
Prepare to file Request for Judicial Notice .2 (partially charged) 		
Complete and file opposition to Eisenmann motion, including Request for Judicial Notice 1.0 		
Complete and file opposition to Tesla motion .5 Update notes and inserts for MPA in opposition to motions to dismiss 1.0		
4/25/2018 Locate and save ISM Vuzem and Eisenmann SE officers social media posts .2 	400.00/hr	680.00
4/26/2018 receive applications and orders for pro hac vice and appearances of counsel, save, print, update proof of service list .2 Review PACER docket, save .4 Direct staff in print, save, and organization and filing of pleadings .1 (partially charged) locate and save digital copy of initial Civil Cover Sheet sealed by Order of Court; locate and save digital copy of initial Complaint, print .1 Save e-mails of past week with counsel .1 (partially charged) locate, save to pdf, and organize dismissal documents and stipulations identifying what settlement payments were for .3 Locate and save e-mails re service and service attempts .1 (partially charged) locate invoice for formal corporate records from Agencija Republike Slovenije .1 Receive bill and translation invoice .1	400.00/hr	1,280.00

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	<u>Rate</u>	<u>Amount</u>
Discuss with staff obtaining and saving all digital copies of all pleadings; review later digitally save pleadings and printed copies of pleadings .2 (partially charged) save invoices for services in Illinois .1 (no charge)		
[REDACTED]		
E-mails re scheduling meet and confer .1		
[REDACTED]		
Organize to file proofs of service on Eisenmann entities in Delaware and in Illinois .3 Direct save and organization of proofs of service, discuss organization of service information and preparing spreadsheet 2		
[REDACTED]		
4/27/2018 Receive and review invoice from Elite Process Serving		40.00
	400.00/hr	
Printed and Filed Pleadings		337.50
	75.00/hr	
[REDACTED]		
discuss with staff organization of paper copies of pleadings .1		560.00
	400.00/hr	
[REDACTED]		
E-mails with attorney Bernay .2 Receive and save e-notices of and filed proofs of service on German Eisenmann entities .2 Internet investigation re injured Tesla workers .2		
4/28/2018 research re trafficking, save research, save articles .5		680.00
	400.00/hr	
[REDACTED]		

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	<u>Rate</u>	<u>Amount</u>
Prepare drafts of requests to produce 1.0		
4/29/2018 add to draft Joint CMC Statement .5	400.00/hr	480.00
[REDACTED]		
review Standing Order re case management, prepare notes for meet and confer .3		
E-mail to counsel re model protective order .1		
4/30/2018 Worked on spreadsheet , download efiled proofs of service, recorded, who, when, where, and filing dates. 5.0	75.00/hr	525.00
Assembled efiled Motions and personally delivered to District Court 2.0		
[REDACTED]	400.00/hr	1,720.00
Receive returned attempted service in San Pedro for California Vuzem entity .1		
[REDACTED]		
Research California and research South Carolina service on dissolved or inactive corporate entities; Prepare administrative motion and complete and e-file mtns re service of US Vuzem entities - California and South Carolina, along with proposed orders 1.7		
[REDACTED]		
E-mail to Judge Koh attaching proposed Order regarding service on California Vuzem entity .1		
E-mail to Judge Koh attaching proposed Order regarding service on South Carolina Vuzem entity .1		
Prepare certificates of service of response to motions to dismiss .3		
Review service spreadsheet .2		
[REDACTED]		

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	<u>Rate</u>	<u>Amount</u>
Discuss obtaining Danijel assistance to have Vuzems personally served .1		
Save to word, and revise draft Joint CMC Statement .2		
5/1/2018 Worked on spreadsheet , download efiled proofs of service, recorded, who, when, where, and filing dates. 7.0	75.00/hr	525.00
Worked on spreadsheet , download efiled proofs of service, recorded, who, when, where, and filing dates. 7.0	75.00/hr	525.00
discuss with staff and direct save of filed Proofs of service, review save and printed copies .2	400.00/hr	240.00
Direct save and organization and office filing of proofs of service and returns served and unserved for [REDACTED] Eisenmann German entities and Eisenmann Corporation, [REDACTED] ISM Vuzem USA, [REDACTED] Tesla, [REDACTED] HRD-Mont, [REDACTED] corrected HRD-Mont .2 (partially charged)		
make searchable proofs of service on Eisenmann entities, refused and mail services on Vuzem entities and individual .2		
5/2/2018 discuss with staff spreadsheet of co-workers .1	400.00/hr	1,360.00
[REDACTED]		
Receive reply by Tesla, save, review, print .3		
[REDACTED]		
Receive reply by Eisenmann, receive objections to Request for Judicial Notice, save, review, print .7		
[REDACTED]		
Prepare revised draft Joint CMC Statement .2		
E-mail from attorney Bernay .1		
Meet and confer call with defendants counsel who did attend, evaluate what		



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	<u>Rate</u>	<u>Amount</u>
was discussed and issues, memo to file .6		
5/2/2018 Complete calls with clients about initial CMC issues 1.0	400.00/hr	400.00
5/3/2018 Organized and Filed Docs .25	75.00/hr	18.75
e-mail from counsel; Receive revised draft Joint CMC Statement and proposed Order, revise, e-mails with counsel .3	400.00/hr	2,280.00
Research regarding stay of proceedings, memo to file .6		
[REDACTED]		
Further research and update memo re stay of discovery .3		
Research 9th Circuit rule 9 motions to dismiss standards, memo to file .5		
[REDACTED]		
Prepare initial draft MPA in opposition to motion to stay discovery .3		
Call to ecf court clerk re e-filing issues .1 (no charge)		
[REDACTED]		
Research 9th Circuit analysis of service abroad, save decisions, prepare memo 1.0		
Locate 9th Circuit authorities for service on subsidiaries, locate California authorities, memos to file .5		
E-mail to attorney Bernay citing authority for service on Eisenmann entities .1		
[REDACTED]		
E-mail from Bernay .1		
prepare for and attend Rule 26(f) conference with counsel by conference call, memo to file 1.5	400.00/hr	1,000.00
meeting with Danijel Travancic re svcs on Vuzems individually 1.0		

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		<u>Rate</u>	<u>Amount</u>
5/4/2018		400.00/hr	400.00
5/5/2018	discussion with attorney Eskin, e-mail from Eskin .1	400.00/hr	40.00
5/6/2018	 Conduct research re mandatory workers compensation coverage in other states, save articles, memo to file .3  Complete to e-file, e-file, receive notification of e-filing, save, print .1 (partially charged save e-notice of filing proofs of service, download, save and print filed proofs of services and waiver of service .2 Phone call and e-mail with attorney Eskin of Levin Simes .3	400.00/hr	1,240.00
5/8/2018	receive e-notice and filed request to appear by phone, Orders advancing hearing dates, download, save and print .2 Calendar revised hearing date .1	400.00/hr	120.00
5/9/2018	download and save further POS .1 Add to draft Rule 26 Disclosure of witnesses and contact information 1.0	400.00/hr	440.00
5/10/2018	receive e-notice of withdrawal of ADR notice of non-compliance .1 Prepare caption for further pleadings .1	400.00/hr	80.00
5/11/2018	review all internet and social media documents, prepare list of other potential defendants / involved labor contractors and hiring companies 1.5 E-mails with counsel, review and revise proposed Joint CMC Statement	400.00/hr	800.00

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	<u>Rate</u>	<u>Amount</u>
.3 E-mail to clients re draft CMC Statement .1 [REDACTED]		
5/12/2018 [REDACTED] E-mail to counsel re changes in proposed CMC Statement .1	400.00/hr	320.00
5/14/2018 locate, review, and save ESI Guidelines, Standing Orders, model stipu for e-discovery .1 Research authorities re jurisdiction in United States .1 Prepare checklist for proofs of service .2 Call and e-mail with attorney Grbeshi re visa issues .2 [REDACTED] Update caption .1 Add to draft of requests to produce to all parties 1.5 Prepare request to produce to Eisenmann Corporation 1.0 [REDACTED]	400.00/hr	1,360.00
5/15/2018 Check all Pleadings for Dismissals and prepared Request for Production of Documents to Eisenmann Corp. Tesla [REDACTED] [REDACTED] 3.0 Prepared check off list and prepared Proof of Service Shell 1.0	75.00/hr	300.00

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	<u>Rate</u>	<u>Amount</u>
5/15/2018 update list of potential defendants		1,160.00
.4	400.00/hr	
Receive Order allowing appearance by phone		
.1		
Research German corporate law, save article		
.2		
Locate internet information for Eisenmann board members, save		
.1		
Locate and save Eisenmann press releases		
.2		
Revise and complete to serve requests to produce to Eisenmann		
.2		
Prepare shells for requests to produce to [REDACTED] Tesla, and [REDACTED] cross-reference and proof		
.6		
Research German corporate entities and form of naming as LLC, Ltd Pp, Pp, and Corporation		
.2		
Receive Order allowing appearance by phone, save		
.1		
Receive order allowing service on ISM Vuzem, USA, Inc.		
.1		
Receive order allowing service on Vuzem, USA, Inc.		
.1		
Prepare to serve pursuant to Order ISM Vuzem USA, Inc., scan envelope and certified mail		
.1		
E-mails to clients regarding status and regarding translations		
.1		
Prepare, execute and file Certificate of Interested Parties		
.2		
Prepare draft proof of service by mail		
.2		
research re discovery, injured workers, amendment of complaint		1,200.00
3.0	400.00/hr	
5/16/2018 prepared pos and served 12 defendants discovery		150.00
2	75.00/hr	
Receive and review revised defendant proposals for Joint CMC Statement; create inserts, revise, e-mail to counsel		720.00
.2	400.00/hr	
Review and revise CMC Statement, e-mails with counsel		
.1		
Social media and internet research re Eisenmann entities		
.2		
[REDACTED]		
Social media and internet research re Eisenmann employees and HR including cross-referenced to other entities, save print screens		
.3		



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	<u>Rate</u>	<u>Amount</u>
Receive e-mails, save photos of Tesla construction work ongoing .1		
Receive e-filed Joint CMC Statement, save, print .1		
Review workers spreadsheet, prepare spreadsheet for FOIA request .5		
Add to draft rule 26 disclosure .1		
E-mails with counsel .1		
5/17/2018 finalizing Rule 26 Disclosures		450.00
3.0	75.00/hr	
Convert documents to PDF, move to appropriate folders and organize files on server. 3.0		
discuss and review updated service spreadsheet .1 (partially charged)	400.00/hr	1,720.00
download and save additional photos of work at Tesla under unsafe conditions .2		
Locate and save documents for attachments to Rule 26 Disclosure .1		
Save information for workers comp defense attorneys re settlement issues .1		
Save social media, secretary of state, and internet articles, postings and other documents re Eisenmann, [REDACTED] and other entities 1.0		
Locate and save information regarding death of Slovenian worker Bojan Sprah at BMW in South Carolina .2		
Receive and save copies of security cards for Papes .1		
Locate and save internet postings for Greiner, CBSN, [REDACTED] complaints, Gregurec NAICS code, DPT management, Gregurec office, Gregurec corporate status, [REDACTED] relationship of supervisors who worked at both Eisenmann and MBZ and BMW, [REDACTED] 2.0		
Update proof of service .1		
E-mail to clients draft of Rule 26 disclosure of witnesses .1		
E-mail to clients Joint CMC Statement .1		
Receive and save Rule 26 Disclosures by Eisenmann, and by Rehau .2		
5/18/2018 Locate and save internet including social media postings and secretary of state information for Eisenmann, Kovacic, [REDACTED] HRID-Mont, d.o.o.	400.00/hr	1,240.00

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		<u>Rate</u>	<u>Amount</u>
	3.0 E-mails with clients re Helena Ogrizek of HRID-Mont, d.o.o. .1		
5/19/2018	e-mail from Papes that Ogrizek is wife of Robert Vuzem .1	400.00/hr	40.00
5/20/2018	save into formats to convert to pdf numerous documents and files; locate and save additional documents from internet re corporations and employees; organize documents into categories and by defendants for Rule 26 production 6.0 [REDACTED]	400.00/hr	2,440.00
5/21/2018	[REDACTED]	400.00/hr	40.00
	Receive and review Summons and Complaint that we sent Certified Return Receipt to ISM Vuzem in South Carolina was returned with note saying Return to Sender. Unable to Forward	400.00/hr	40.00
	downloaded Intitial Rule 26 Disclosure to USB drives, mailed out drives to 6 of the 13 defendants and letters to all 13 defendants 1.0	75.00/hr	75.00
	save into formats to convert to pdf numerous documents and files; organize documents into issues and parties for completion of 11,845 pages of bates stamped documents for Rule 26 production 4.5 Prepare letter to counsel to enclose production .1 E-mail from Stjepan re court appearance in Ptuj, Slovenia with attorney Marijan Aleksic .1	400.00/hr	1,880.00
5/22/2018	e-mails with clients re Katarina as wife of Ivan Vuzem .1 Save ISM Vuzem d.o.o. company information .1 Research limited access to Slovenian court records .1	400.00/hr	120.00
5/23/2018	Prepare Proof of Service, Organize and serve discovery request for 13 defendants 3.	75.00/hr	225.00
	complete to serve: First Set of Interrogatories to Defendant Eisenmann Corporation; First Set of Requests to Produce and First Set of Interrogatories to Defendant Tesla Inc.; [REDACTED]	400.00/hr	3,040.00

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	<u>Rate</u>	<u>Amount</u>
[REDACTED]		
4.5		
Conduct research re jurisdiction, visa statutes, [REDACTED]		
[REDACTED]		
.8		
[REDACTED]		
.3		
Locate and save social media posts of other workers, including for [REDACTED]		
.3		
E-mail from Stjepan with memo re injuries to other workers		
.1		
[REDACTED]		
E-mails with Travancic re service		
1		
[REDACTED]		
Memo re supplements to Rule 26 Disclosure		
1.		
5/24/2018 Gather all emails and Proofs of Service relating to Service on Ivan and Robert Vuzem, determine the steps taken for service and prepare Certificates of Service on each	75.00/hr	300.00
4.0		
schedule travel; save proposed itinerary		480.00
.2 (no charge)	400.00/hr	
e-mail to clients re travel to Zagreb and interviews of witnesses		
.1		
Save to pdf initial Plaintiffs disclosures		
.1		
Add bookmarks for copy of Rule 26 production		
.1 (partially charged)		
[REDACTED]		
Discuss with staff spreadsheet for service		
.1		
[REDACTED]		
E-mails to and from clients re travel and case status		

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		<u>Rate</u>	<u>Amount</u>
.1	Receive Order granting appearance by phone		
.1	Receive e-mail and proof of service on Ivan Vuzem and on Robert Vuzem		
.1	Receive additional applications for counsel to appear by phone		
.1			
5/24/2018	call with Stjepan Papes		80.00
.2		400.00/hr	
5/27/2018	[REDACTED]		280.00
		400.00/hr	
5/29/2018	Gather and organize all Certificate of services		22.50
.5		45.00/hr	
	Prepared draft Administrative Motions to Replace Defendants HRID-Mont,		45.00
	[REDACTED]	45.00/hr	
1.			
	Cross-reference filings		45.00
1.		45.00/hr	
	Gather and organize all Certificate of services		37.50
.5		75.00/hr	
	Prepared draft Administrative Motions to Replace Defendants HRID-Mont,		75.00
	[REDACTED]	75.00/hr	
1.			
	Cross-reference filings		75.00
1.		75.00/hr	
	[REDACTED]		640.00
		400.00/hr	
	Save docket		
.1			
	Research relation back in diversity jurisdiction under California law and under federal procedure		
.3			
	Prepare administrative motions to substitute true name of [REDACTED]		
	HRID-Mont; prepare proposed Orders, e-file, receive confirmation of filing, save, print, prepare e-mails to Judge Koh		
1.0			
	[REDACTED]		

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	<u>Rate</u>	<u>Amount</u>
5/30/2018 [REDACTED]	45.00/hr	90.00
Organizing documents 1.0	45.00/hr	45.00
[REDACTED]	45.00/hr	13.50
prepare to file POS Ivan Vuzem .1	400.00/hr	3,240.00
Save SAC translated into Croatian (dated 3/5/2018) .1		
Save SAC translated into Slovenia (dated 3/26/2018) .1		
Save Slovenian - Croatian - English combined SAC (dated 3/26/2018) .1		
Prepare POS for attempted service on Robert Vuzem and on Ivan Vuzem .4		
[REDACTED]		
prepare for CMC, prepare memo of issues for discussion 2.0		
[REDACTED]		
Travel to and attend CMC, organize notes from CMC 3.0		
[REDACTED]		
Receive e-filed POS for Ivan Vuzem .1		
Receive minute Order, receive CMC Order, save, print, calendar 1		
[REDACTED]		
Call with Nimish R Desai of Lieff Cabraser Heimann & Bernstein, LLP .1		
[REDACTED]		
E-mail to Lingua-Soft .1		
[REDACTED]		
review binders of pleadings for motions 2.0	400.00/hr	2,960.00
call with Papes, [REDACTED] save memo 1.0		


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		<u>Rate</u>	<u>Amount</u>
			
	Prepare for, travel to, and attend initial CMC, including argument on other motions and matters decided by Judge Koh 3.0		
5/31/2018		400.00/hr	40.00
	<b>31</b> Locate and save about 20 DOJ press releases relevant to visa and issues in this case, save; review same 1.0	400.00/hr	400.00
6/1/2018	review in detail CBSN internet articles, e-mail from Palmer, save screenshots, locate and save social media postings of workers 2.0 Save prior e-mails with attorney Michael Hancock, and with Emily Rand, re viability of and facts of claims .1 	400.00/hr	920.00
6/4/2018	cross reference filed docs .5	45.00/hr	22.50
	locate and save articles and postings re death of Bojan Sprah .2 Locate and save articles and photos of Robert Vuzem .2 	400.00/hr	600.00
	Research information from Spartanburg County, and from South Carolina .3 Information re Hague Convention .1 Locate social media posts and save same re other company workers in US .2 		
	Save prior research re service of process under Civil Procedure Act of Slovenia, chapter 11 .1		
6/5/2018		400.00/hr	400.00

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		<u>Rate</u>	<u>Amount</u>
			
6/6/2018	E-mail from Papes re Slovenia police in Velenje call to Gregor to give statement re claim by ISM Vuzem, save images of statement; call to Gregor, call to Papes, call to Danijel .5 E-mail to Gregor re status of pleadings and viability of claims against Vuzem .2 Research qui tam releases, save article .2	400.00/hr	480.00
			
	Locate congressional and senate representatives for immigration issues, memo to file .1 Discuss with staff updated employee spreadsheet .1		
6/7/2018	Employee/witness list 5.0	75.00/hr	375.00
	prepare FOIA request to USCIS with attachment of spreadsheet .3 prepare FOIA request to USAG, ND Texas with attachment of spreadsheet .3 E-mail, save print screen shot of spreadsheet of workers by companies and locations .2 Receive e-order for transcript .1 Prepare transcript order, e-file .1 E-mails with court reporter Shortridge .1	400.00/hr	440.00
6/8/2018	 Prepare draft second sets of requests to produce based on assertions in motions to dismiss 1.5	400.00/hr	640.00
6/10/2018	e-mail from Travancic .1 Receive returned attempted service on ISM Vuzem, USA .1 Save mp4 video and save photos of ISM Vuzem at times of attempted service .2	400.00/hr	160.00

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	<u>Rate</u>	<u>Amount</u>
6/10/2018 Mtg with Danijel Travancic, calls to Stjepan Papes, Gregor Lesnik and Nenad Modic 1.4	400.00/hr	560.00
6/11/2018 Receive and review Record of Service of Process on Deputy Secretary of State and forwarded to Vuzem on May 16, 2018	400.00/hr	40.00
Scanned Proofs of Service, saved to server, and made searchable, efiled with the court .4	45.00/hr	18.00
save services on Eisenmann entities .1	400.00/hr	480.00
Locate index of BIA precedent decisions, save .1		
Identify relevant decisions, memo to file .2		
[REDACTED]		
Research alternative petition based visas, save memos re immigration regs, save individual regs .4		
Research David v Signal trial and appellate status on claims other than trafficking .2		
E-file POS on Eisenmann German entities in Illinois .1		
[REDACTED]		
review presenter outlines for Northern California CAOC Class Action and Mass Torts Seminar .1	400.00/hr	160.00
6/12/2018 Prepared POS cover on Robert Vuzem, efiled .4	45.00/hr	18.00
Efiled Eisenmann Anlag POS .2	45.00/hr	9.00
memo to staff re: filing POS and orders from court .1	400.00/hr	40.00
6/13/2018 add information to witness list, typed memos of wcd notes 2.	45.00/hr	90.00
Sort and organize documents to be entered in system 1.0	45.00/hr	45.00
e-mail to clients re change in travel plans .1	400.00/hr	40.00



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	<u>Rate</u>	<u>Amount</u>
6/13/2018 review notes re Papes v Vuzem trial in Ptuj, Slovenia, represented by lawyer Marijan Aleksic .1	400.00/hr	40.00
6/14/2018 [REDACTED]	400.00/hr	80.00
6/18/2018 Translate forms 1.5	45.00/hr	67.50
6/19/2018 Receive and review Defendant Tesla, Inc.s Initial Disclosures	75.00/hr	7.50
receive response to FOIA including applications, permits and plan review documents from City of Greer re: Minghua, save, skim review .2	400.00/hr	480.00
[REDACTED]		
Receive and save reporters transcript, review same .1		
[REDACTED]		
Review documents saved by office including: e POS on Robert Vuzem [REDACTED]		
Orders to substitute true name of [REDACTED] and HRID-Mont entities Updated service spreadsheet .2		
6/20/2018 Prepared access info form in English .4	45.00/hr	18.00
[REDACTED]	400.00/hr	80.00
Request for account information to court in Croatia re Krunoslav Premusic prosecution for trafficking .1		
6/21/2018 direct staff to save memos of calls with witnesses .1	400.00/hr	160.00
E-mail from USCIS confirming receipt of FOIA and directing request to DOJ .1		
E-mail to USCIS .1		
Review e-mail from Papes and attached Croatian court document re tax		

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		<u>Rate</u>	<u>Amount</u>
	dispute with Vuzem .1		
6/22/2018	[REDACTED]	400.00/hr	40.00
6/23/2018	[REDACTED]	400.00/hr	40.00
6/25/2018	download and save prior E-notice of transcript .1 [REDACTED]	400.00/hr	80.00
6/26/2018	[REDACTED]	400.00/hr	40.00
		400.00/hr	NO CHARGE
6/27/2018	Worked on Witness list 2.0	45.00/hr	90.00
	[REDACTED]		80.00
	[REDACTED]	400.00/hr	40.00
6/28/2018	Worked on spreadsheet 4.0	45.00/hr	180.00
	[REDACTED]	400.00/hr	560.00
	Conduct research of defense analysis of jurisdictional discovery, save article, locate and save orders granting and denying jurisdictional discovery; prepare memo re alternate standards and remedies; save Bristol Myers and related cases holdings .4 Prepare draft of MPA re jurisdictional discovery .3 [REDACTED]		

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	<u>Rate</u>	<u>Amount</u>
6/29/2018 e-mail to clients re status, and re issues for anticipated joint motions to dismiss, and request for information .4 E-mail from USCIS .1 Review prior e-mail from Spartanburg County; prepare letter re FOIA request .3 Locate information for LCA and LC applications, save .2 Prepare FOIA request to DOJ, e-mail to DOJ .2	400.00/hr	480.00
call with Stjepan Papes .2	400.00/hr	80.00
6/30/2018 call with Stjepan Papes 1.0	400.00/hr	400.00
7/2/2018 worked on B1 Worker spreadsheet 6.0	45.00/hr	270.00
memo re Vuzem family .1 	400.00/hr	400.00
Prepare FOIA to DOJ Re Modugumudi, e-mail to DOJ .3 Update worker spreadsheet .2 E-mail from Spartanburg, letter and e-mail to Spartanburg .2		
7/3/2018 organize file. .2	45.00/hr	9.00
receive and save Tesla disclosures .1	400.00/hr	40.00
7/5/2018 worked on B1 Worker spreadsheet 4.0	45.00/hr	180.00
Scanned, made searchable, and saved to server then efiled VUZEM USA INC. POS .3	45.00/hr	13.50
save add ons to rule 26 disclosures .1 Prepare to file POS on Vuzem USA, Inc. (California) .1	400.00/hr	80.00

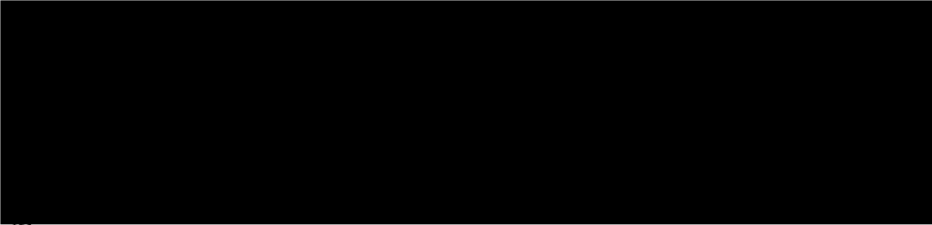
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	<u>Rate</u>	<u>Amount</u>
7/12/2018 assist in research at Law Library .5	75.00/hr	37.50
Add to Workers Spreadsheet .4	75.00/hr	30.00
research fee schedule, save FR re same .2	400.00/hr	2,440.00
		
Research re trafficking claims and causes of action .2		
Review regs re T1 immigration visas .3		
Locate cited decisions in prior motions to dismiss re visas arguments, save, review, and analyze 1.5		
Read and save memo from Papes re other injured workers .1		
Add authorities and analysis on draft opposition to motion for stay .2		
		
Research statutory basis for visa regs .1		
		
Receive application to appear pro hac vice .1		
Locate weather information and prepare memo re South Carolina blizzard in February of 2014 .1	400.00/hr	1,160.00
Continue to locate and save prior cited authorities for later review .5		
Memo re joint employer coverage under 29 CFR 825.106 .1		
		



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	<u>Rate</u>	<u>Amount</u>
.1 Save filed POS		
.1 Receive applications to appear pro hac vice		
.1 E-mail from and letter to Spartanburg County		
.3 		
.5 Receive late evening filed joint motion to dismiss, declarations, motions to file under seal, exhibits, proposed order, sealed motion to dismiss, and e-mails, download and save		
.1 E-mail to clients		
.1 E-mail to Judge Koh attaching proposed orders		
.1 E-mail to translator Bojic to translate orders to amend pleadings		
.1		
7/13/2018 e-mail to consultant Palmer		80.00
.1	400.00/hr	
E-mail from attorney Nemeth		
.1		
7/14/2018 e-mail from Stjepan, save attachments		80.00
.2	400.00/hr	
7/15/2018 e-mail from Bojic re translations		40.00
.1	400.00/hr	
7/16/2018 Law library downloading cases that were listed in the moving documents of defendants. Looked up on lexis the cites that were missing. Time: 3.25		146.25
	45.00/hr	
Translate emails		75.00
1.	75.00/hr	
Review service of defendants		37.50
.5	75.00/hr	
Personally deliver docs to District Court		22.50
.5	45.00/hr	

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	<u>Rate</u>	<u>Amount</u>
7/16/2018 Update spreadsheets		75.00
1.	75.00/hr	
review Papes memo of response to questions about workers, google translate portions in Croatian, save	400.00/hr	2,600.00
.2		
prepare memo of additional workers		
.1		
Direct updates to B1 worker spreadsheet		
.1		
Research analysis of proportionality limits and objections to discovery		
.2		
Direct saving tracking by USPS of mailing to ISM Vuzem, d.o.o.		
.1		
Locate, save and begin to review about 70 cited decisions		
5.5		
Locate lexis cited for westlaw cited cases		
.3		
7/17/2018 	400.00/hr	480.00
Discuss Updated worker spreadsheet		
.1		
7/18/2018 Update B1 Spreadsheet and Update Service Spreadsheet		300.00
4.0	75.00/hr	
Prepared Certificate of Service on ISM Vuzem USA, Inc. with exhibits		22.50
.3	75.00/hr	
	400.00/hr	40.00
Conduct research for Primiko, d.o.o.		200.00
.2	400.00/hr	
Locate and extract building inspections for 1000 Robinson Road		
.2		
E-mail from and to Greer South Carolina re receipt of zip drive		
.1		

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	<u>Rate</u>	<u>Amount</u>
7/19/2018 looking up codes from US and AL and CA and rules/Regulations from Def Moving Papers pleadings and saving in PDF form	45.00/hr	112.50
Total time: 2.5		
Receive and review letter from US Department of Justice re Freedom of Information Act and FOJA	45.00/hr	4.50
Cross check B1 Workers and make corrections	45.00/hr	225.00
5.		
review regs, continue to review cited authorities	400.00/hr	2,600.00
.3		
Prepare memo to insert regarding Labor Certification		
.3		
Review authorities re jurisdiction		
.5		
Prepare memo re prima facie showing for jurisdiction, and alternative standards for discovery re same		
.1		
Prepare memo to insert regarding jurisdiction for claims under section 3730		
.2		
Prepare memo to insert regarding visa regulations		
.2		
Discuss with staff work spreadsheets		
.1 (no charge)		
locate, save and extract individual citations to 18 USC, 31 USC, 8 USC, Alabama Code, California Civil Code, Labor Code and Penal Code, CFR, and FRCP		
4.5		
Prepare insert regarding visas		
.3		
E-mail to Emily Rand of CBS		
.1		
7/20/2018 Saving the legal authorities cases into searchable PDF, Combining all legal authorities into 1 PDF, creating index for Legal Auth, indication which cases had received negative treatment and why	45.00/hr	135.00
Time: 3		
further research re H-2B Temporary Non-Agricultural Workers visas, regulatory framework, and petition based visa fees	400.00/hr	680.00
1.0		
Save 81 cited authorities to pdf for search and analysis		
.5		
Memo re needed decl re hours worked		
.2		
7/22/2018 prepare draft MPA in opposition to Eisenmann administrative motion	400.00/hr	480.00
1.2		

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		<u>Rate</u>	<u>Amount</u>
7/23/2018	revise and complete to file Opposition to Eisenmann Administrative Motion to File Under Seal	400.00/hr	1,280.00
	.3 direct exhibit cover pages for certifications of service		
	.1 Memo to insert regarding completeness of recording for settlement documents		
	.2 Research 9th Circuit decisions re trafficking, save compendium of authorities, review and analyze relevant authorities		
	1.0 Prepare insert re trafficking		
	.4 [REDACTED]		
	Memo re form for application for entry of defaults		
	.2		
7/24/2018	Review file and gather all documents relating to hours	45.00/hr	22.50
	.5		
	receive response from Executive Office for United States Attorneys regarding FOIA	400.00/hr	120.00
	.1 Locate and scan FOIA with signatures; letter to DOJ, e-mail to DOJ		
	.2		
7/26/2018	[REDACTED]	400.00/hr	40.00
7/30/2018	locate authorities under Illinois and Delaware law for permitted service, save civil rules	400.00/hr	280.00
	.4 Prepare for and call to attorney Bernay re service, memo to file		
	.3		
		400.00/hr	280.00
8/1/2018	[REDACTED]	75.00/hr	15.00
	[REDACTED]		
	[REDACTED]	400.00/hr	160.00
	E-mails to and from clients re status and additional information		
	.2 [REDACTED]		



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	<u>Rate</u>	<u>Amount</u>
8/3/2018 Receive and review letter from US Department of Justice re Freedom of Information	400.00/hr	40.00
e-mails of Bernay with courtroom deputy		1,040.00
.1 receive German Eisenmann entities motion to quash, along with declarations of Hickman, Salow, Seiler, and proposed Order, save, print, initial review	400.00/hr	
.5 Prepare outline for declarations of Papes and Lesnik regarding jurisdiction arguments		
.4 Prepare draft MPA insert re jurisdiction cribbing from prior research and decisions / orders on similar contentions		
1.6		
8/4/2018 receive, save and review certificates of interested parties for Eisenmann German entities, compare with arguments on motions to quash	400.00/hr	120.00
.2 Receive special appearances for already appearing counsel now appearing for Eisenmann German entities		
.1		
8/5/2018 save form for Petition visas for RJN		1,280.00
.1 Prepare draft declaration of Papes	400.00/hr	
.7 Prepare draft declaration of Lesnik		
.4 Begin to prepare MPA in opposition to Joint MTD		
2.0		
8/6/2018 Updated spreadsheet	75.00/hr	450.00
locate and save firing letter, letter from Vuzem to Gregor,		3,840.00
.2 Locate and save articles re Krunoslav Premusic conviction for trafficking; translate into English to understand	400.00/hr	
.2 Locate and save for exhibits Eisenmann letter to consulate re Lesnik, Lesniks Tesla contractor card, Lesniks Tesla ID badge, Vukadinovic deposition that he is not supervisor and CSR certification		
1.0 Prepare shell of draft Dresser Declaration		
.1 Revise and add to Lesnik declaration		
.5 Revise and add to Papes declaration		
.6 Add inserts and facts to draft MPA in opposition to motion to dismiss		
6.0		


Gregor Lesnik

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	<u>Rate</u>	<u>Amount</u>
Revise Lesnik declaration, e-mail to Gregor 1.0		
8/7/2018 revise and complete for client review draft declaration of Papes, e-mail to Stjepan, e-mail from Stjepan 1.5 Organize exhibits for Papes declaration .2	400.00/hr	1,720.00
[REDACTED]		
Add to draft MPA in opposition to motion to dismiss, save, further additions, save 2.00		
8/8/2018 locate proofs of service, organize by defendant and location of service, save as proposed exhibit to Eisenmann entities motion to quash service .2	400.00/hr	3,000.00
[REDACTED]		
Discuss with staff reviewing disclosures to avoid duplicates, notes re amended disclosure .2 (partially charged) review text of SAC .2 Add to draft MPA in opposition to motions to dismiss 6.0		
8/9/2018 Prepared Draft for Declaration of William C. Dresser in Opposition to Specially Appearing Defendants Eisenmann SE, Eisenmann Anlagenbau Verwaltung GmbH, and Eisenmann Anlagenbau GmbH & Co. KGs Motion to Quash Purported Service of Process.	75.00/hr	300.00
E-mail from Gregor, save scanned signature page .1 Save Papes signature and compile declaration .1 Organize to file declarations of Papes and of Lesnik .1 Complete request for judicial notice, save cover page for exhibits, prepare to file RJN .3 Complete Dresser declaration in opposition to Joint MTD 1.6 Save exhibits to Dresser declaration, compile to prepare for filing .3 Prepare proof of service; prepare certificate of service .2	400.00/hr	6,720.00

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	<u>Rate</u>	<u>Amount</u>
Continue to add to MPA including procedural history, relevant facts, legal arguments, and conclusions and tables (through to hours of 8/10) 14.0 Save for e-filing, file .1		
8/10/2018 save e-filed pleadings, print .1 E-mail to clients .1	400.00/hr	80.00
8/13/2018 Prepared exhibit covers for Declaration of William C. Dresser in Opposition to Specially Appearing Defendants Eisenmann SE, Eisenmann Anlagenbau Verwaltung GmbH, and Eisenmann Anlagenbau GmbH & Co. KGs Motion to Quash Purported Service of Process, scanned, made searchable and saved to server. 4.0	75.00/hr	300.00
	400.00/hr	40.00
review service spreadsheet, review filed proofs of service, prepare declaration regarding service on German Eisenmann entitiess 1.5 Prepare declaration re service .1 Prepare to file and file .1 Receive confirmation of efiling Declaration re Eisenmann service .1 Complete RJN including 700 series exhibits re service on Eisenmann entities, prepare to file, e-file, receive confirmation of efiling .3 Locate Delaware statutory authority re service, save memo .1 Complete MPA in Opposition to Eisenmann entities motions to quash, prepare to file, file .8	400.00/hr	1,200.00
8/14/2018 e-mail from attorney Foran regarding claimed confidentiality of filed documents, review productions and source of materials as not being confidential, e-mail to Foran 1.0	400.00/hr	400.00
8/21/2018 Invoice spreadsheet update	75.00/hr	NO CHARGE

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	<u>Rate</u>	<u>Amount</u>
8/21/2018 Prepare outline of contentions and issues on motion to dismiss sorted by defendants and moving parties for Eisenmann, Eisenmann entities, Tesla, [REDACTED] .4 Discuss with staff service on all entities, direct individual memos for each service .1	400.00/hr	200.00
8/24/2018 e-mail from counsel for Eisenmann re documents filed under seal .1	400.00/hr	40.00
8/25/2018 receive objections to RJN, Reply MPA, certificates of service, objections to further RJN, declaration of Murphy, proposed Order to file under seal, redacted MPA; save, review, print 2.0 Download and save attachments to prior e-mail from Eisenmanns counsel of unredacted documents .1	400.00/hr	840.00
8/26/2018 review internet articles and Tesla statements re motion .1	400.00/hr	40.00
8/27/2018 [REDACTED] worked on Service spreadsheet	400.00/hr 75.00/hr	40.00 22.50
8/28/2018 Gather service docs and update Service spreadsheet  Save entire docket, review; prepare print screens for each document filed under seal .2 Locate documents of public disclosures, save to pdf, save as exhibits for intended declaration .6 Prepare MPA and Declaration in opposition to Eisenmann motion to file under seal, save to pdf to file, e-file 2.8	75.00/hr 400.00/hr	300.00 1,440.00
8/29/2018 Worked on service updates  review and save orders for transcripts .1 Discuss with staff checking to confirm we have digital and paper copies saved and filed for all pleadings .1 (partially charged)	75.00/hr 400.00/hr	525.00 80.00

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		<u>Rate</u>	<u>Amount</u>
8/30/2018	[REDACTED]	400.00/hr	320.00
9/5/2018	Scan, made searchable and saved to server, FOIPA response to request	75.00/hr	15.00
	receive response of confidential documents in response to DOJ FOIA		40.00
	.1	400.00/hr	
9/10/2018	receive Order taking under submission motions to dismiss		40.00
	.1	400.00/hr	
9/11/2018	e-mails from and to attorney Bernay re CMC Statement		40.00
	.1	400.00/hr	
9/13/2018	attend ND California seminar re class actions		800.00
	2.0	400.00/hr	
	attend and save memo re applicable issues from ND California, 2018 Civil Law Symposium: Class Actions		1,200.00
	3.0 (partially charged)	400.00/hr	
	conference with potential co-counsel		
	.2 (no charge)		
9/14/2018	[REDACTED]		240.00
	Locate social media posts re HR employees working for multiple defendants	400.00/hr	
	.2		
	[REDACTED]		
	E-mails to clients re status of class action issues		
	.1		
9/16/2018	[REDACTED]	400.00/hr	80.00
9/17/2018	[REDACTED]	45.00/hr	9.00
	[REDACTED]		
	[REDACTED]	400.00/hr	40.00
	[REDACTED]		
	[REDACTED]	400.00/hr	280.00
	Locate and calls to organizations concerning worker rights, and organizations re visas		
	.2 (partially charged)		
	[REDACTED]		


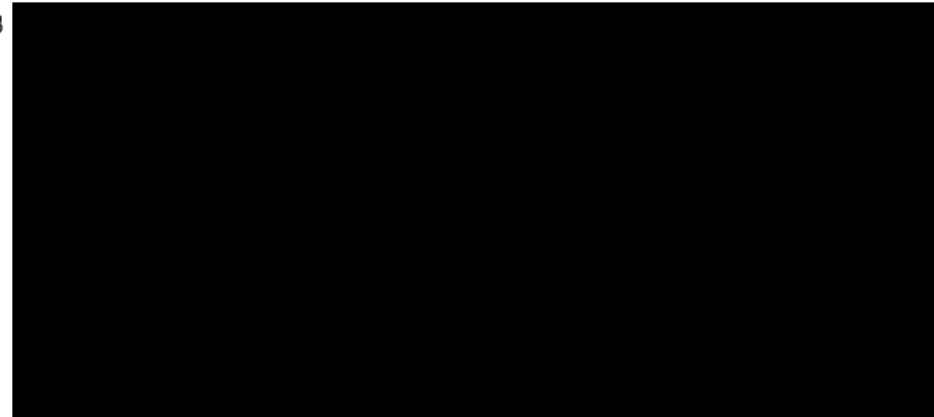
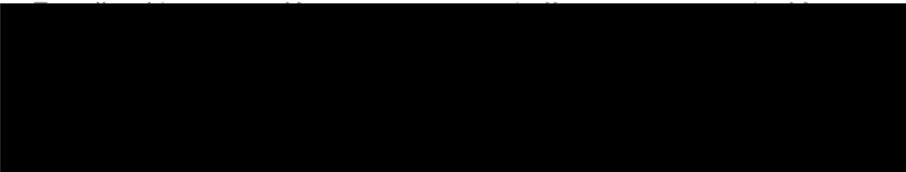
Gregor Lesnik

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		<u>Rate</u>	<u>Amount</u>
	<div style="background-color: black; width: 40px; height: 15px; margin-bottom: 5px;"></div> E-mail from counsel, skim review defense draft of CMC Statement .1		
9/17/2018	<div style="background-color: black; width: 330px; height: 30px;"></div>	400.00/hr	120.00
9/18/2018	<div style="background-color: black; width: 300px; height: 30px;"></div>	45.00/hr	9.00
	Call from Mr. Bernay, memo to file .1	45.00/hr	4.50
	<div style="background-color: black; width: 425px; height: 60px;"></div>	400.00/hr	640.00
	Begin to prepare inserts for anticipated Third Amended Complaint - visas .2		
	<div style="background-color: black; width: 560px; height: 85px;"></div>		
	Call from attorney Bernay .1 (no charge) review draft CMC Statement, prepare memo of detailed revisions and inserts .4 E-mails with attorney Murphy re certificates of interested parties for all Eisenmann entities; locate all filed certificates .1		
	<div style="background-color: black; width: 445px; height: 35px;"></div>	400.00/hr	120.00
9/19/2018	<div style="background-color: black; width: 550px; height: 80px;"></div>	400.00/hr	320.00
	Review and revise drafts of CMC Statement, e-mails with counsel .2 Receive and save filed CMC Statement, review, print .1		
	e-mails with counsel, review drafts, add to drafts, complete e-mails to allow parties to file Joint Case Management Conference Statement 1.0	400.00/hr	560.00

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		<u>Rate</u>	<u>Amount</u>
			
9/20/2018		400.00/hr	360.00
9/21/2018	review Reuters article re new construction in Alabama		200.00
	.1	400.00/hr	
	Save Tesla case reports and articles and blogs by Tesla		
	.2		
			
	E-mail from Baron at SJ Mercury News		
	.1		
		400.00/hr	80.00
9/22/2018	call with Stjepan about status		200.00
	.2	400.00/hr	
	call with Danijel about status		
	.3		
9/24/2018	receive notice of rescheduled CMC, calendar		40.00
	.1	400.00/hr	
9/25/2018	e-mails with clients re status		640.00
	.1	400.00/hr	
			
	Research re federal employee depositions		
	.1		
			

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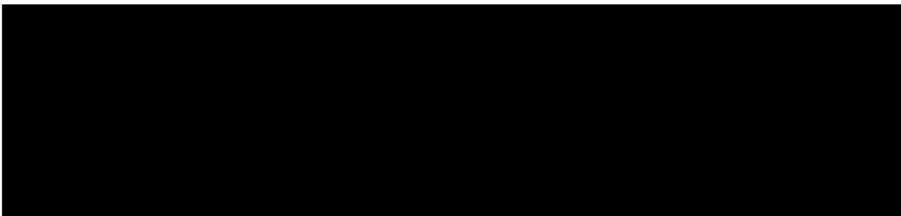

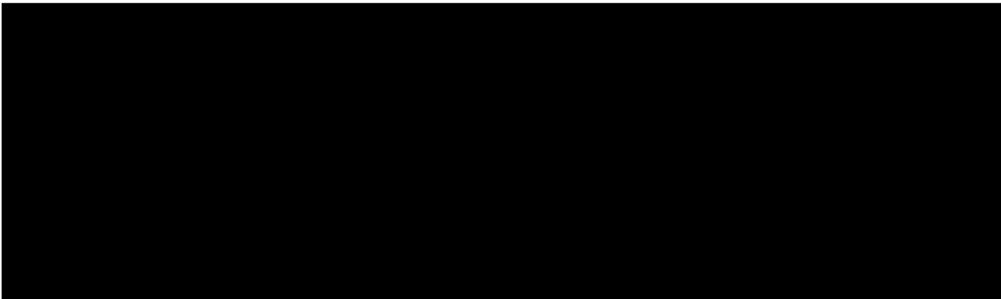
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		<u>Rate</u>	<u>Amount</u>
	Receive from Papes e-mail and photos of ongoing duct work at Tesla .1		
9/27/2018	Prepared letter to FOIA enclosing signature page for processing .2	75.00/hr	15.00
	[REDACTED]	400.00/hr	120.00
9/30/2018	[REDACTED]	400.00/hr	NO CHARGE
10/1/2018	[REDACTED]	400.00/hr	200.00
10/2/2018	Receive Order denying application to file under seal .1 receive notice of Order, download, save, print and review .3	400.00/hr	280.00
	[REDACTED]		
10/3/2018	[REDACTED]	400.00/hr	40.00
10/4/2018	e-mail to clients re status .1	400.00/hr	480.00
	[REDACTED]		
	E-mail and call from, and e-mail to Matija Boltizar of Jutrarnji press .2 Locate, review and extract judges comments from CM Conference on settlement and motions to dismiss .1		
	[REDACTED]		
10/5/2018	[REDACTED]		5,000.00



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		<u>Rate</u>	<u>Amount</u>
10/5/2018	locate Vukadinovic testimony .1 E-mails with Alexander Brudar of Slovenska Novice .1 	400.00/hr	120.00
10/7/2018		400.00/hr	240.00
10/8/2018	Call from opposing counsel Bernay, memo to file .1 Call from Carlos Ramirez, former Tesla representative, memo to file .1 	75.00/hr	15.00
		400.00/hr	240.00
10/9/2018	e-mail from Bernay with draft CMC Statement .1 Review and revise proposed Statement, e-mails to counsel .3 	400.00/hr	440.00
10/10/2018	many e-mails (9) to and from counsel re revisions to CMC, agree on revised CMC, agree to meet and confer in person; calendar .4 E-mails to clients re status .1 Email to Baron of SJ Mercury News .1 Receive and save filed Joint CMC Statement .1	400.00/hr	280.00
10/13/2018	e-mail from Papes, review attached transfer of employment from ISM Vuzem to HRID-Mont, d.o.o., download and save attachment .1 call with Stjepan Papes	400.00/hr	520.00

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		<u>Rate</u>	<u>Amount</u>
			
10/13/2018	call with Stjepan Papes .6	400.00/hr	480.00
			
10/14/2018	memo to re-organize, review and revise draft Third Amended Complaint; commence revisions 2.0	400.00/hr	800.00
10/15/2018	research Alabama trafficking statute, analyze application of facts to that statute .3 review and revise draft Third Amended Complaint 5.0 E-mails with Bernay re potential mediation .1 Receive Order rescheduling hearing on motions to quash .1	400.00/hr	2,200.00
10/16/2018	 E-mails with Bernay; calendar conference call .1 	400.00/hr	120.00
10/17/2018	E-mail from Ruth Silver Taube re trafficking claims and assistance, directions to Martina Vandenburg .1 Research re Taube, research re Vandenburg .1 E-mail to Taube and Vandenburg .1  contact potential co-counsel .3  confirm recalendar of further CMC .1 (no charge) prepare for and attend conference call re mediation 1.0	400.00/hr      400.00/hr	120.00      400.00
10/18/2018	Researched cases against Tesla, downloaded documents, Complaints, etc., scanned, enhanced related documents and saved to server 1.0	75.00/hr	75.00

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		<u>Rate</u>	<u>Amount</u>
10/18/2018	<p>[REDACTED]</p> <p>Locate and save case information for Ramirez v Tesla, Trinh v Tesla and Lambert v Tesla, save complaint in Lambert, review same for sources of information and relationship to claims of knowledge of bad workplace conditions</p> <p>.2 Review, revise and add to draft Third Amended Complaint</p> <p>2.0 [REDACTED]</p> <p>Locate Vaughn v Tesla complaint, locate Tripp v Tesla claims D.Nev; save search information</p> <p>.2 Call with Vandenburg, memo to file, e-mails to and from Vandenburg</p> <p>1.6 E-mail to Clients re status</p> <p>.1 [REDACTED]</p>	400.00/hr	1,960.00
	<p>Call with Martina Vandenberg, save notes of call with Vandenberg</p> <p>1.0</p>	400.00/hr	400.00
10/19/2018	[REDACTED]	400.00/hr	160.00
10/20/2018	<p>revise and add to reorganized Third Amended Complaint; save changes</p> <p>5.0</p>	400.00/hr	2,000.00
10/21/2018	<p>[REDACTED]</p> <p>E-mail to Judge Koh</p> <p>.1 Research re proposed mediators; memo to file</p> <p>.2 Prepare e-mail to Eisenmann and Tesla counsel re proposed mediation</p> <p>.1 [REDACTED]</p> <p>Review notes, review saved information, review screen shots of social media and other posts re other Labor Contractors; Prepare insert to proposed 3AC re other entities</p> <p>1.0 Review and add to draft Third Amended Complaint</p> <p>2.0</p>	400.00/hr	1,720.00

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		<u>Rate</u>	<u>Amount</u>
	[REDACTED]		
10/22/2018	US Lesnik Personally deliver documents to Judge Lucy Koh .5	75.00/hr	37.50
	e-mail from Vandenberg .1 grammar, spell and paragraph numbering check; save good draft of Third Amended Complaint, save to pdf 2.5	400.00/hr	1,680.00
	[REDACTED]		
	call with Stjepan about status .4 call with consulting attorney Rutger Heymann re proposed mediators .3 Calls with and e-mails with Olivier re association for class claims depending on evolution of case pleadings and settlement .5 Many e-mails with counsel for Eisenmann and Tesla about proposed extensions of time, and concern about impact on other party defendants, save e-mails .3		
	call with Rutger Heymann re mediators .3 call with Monique Olivier re mediators, mediation, and settlement issues for [REDACTED] mediation .5	400.00/hr	320.00
10/23/2018	[REDACTED]	400.00/hr	80.00
10/24/2018	[REDACTED] Organize pleadings .5	75.00/hr	37.50
	review contract of transferred employment for construction in US .1 Call with counsel re mediation, mediators and their proposed stipulation to extend time to file complaint .5 e-mail from counsel, review and revised drafts and proposed order, prepare proposed declaration, e-mails with counsel re mediation, other defendants approval of mediation, and stipulations .7 Multiple e-mails with counsel re proposed mediators and dates for mediation .2	400.00/hr	600.00

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		<u>Rate</u>	<u>Amount</u>
10/25/2018	[REDACTED] Call from Pat Foran, memo to file .1	75.00/hr	7.50
	e-mails with counsel, review and approve Joint Stipulation, receive notice of e-filing of stipulation, declarations, and proposed Order .2	400.00/hr	160.00
	E-mail to and from consulting counsel re stipulation and status .1		
	E-mails with consulting counsel re disclosures .1		
10/28/2018	research ethical rules on limitations on practice; save rules and proposed rules .2 [REDACTED]	400.00/hr	160.00
10/29/2018	[REDACTED] Personally delivered courtesy copy to Judge Koh .4	75.00/hr	67.50
	Translate Gregor Contract with Vuzem .5		
	Personally delivered courtesy copy to Judge Koh .4	75.00/hr	67.50
	Translate Gregor Contract with Vuzem .5		
	review and save multiple e-mails of past week .2 [REDACTED]	400.00/hr	5,000.00
	Receive Order denying stipulation to extend time .1 [REDACTED]		
	Locate contracts in Slovenian, translate to English .5		
	Locate Lesnik and Papes bank records, identify payments .2		
	Research Slovenian criminal code, save relevant portions .4		
	Locate amended complaints in similar facts for class certification allegations for wages, analyze same 1.0		
	Research TVPA text, save, review, memo re inserts .2		
	Locate articles re TVPA, save, review .2		
	Review and revise proposed Third Amended Complaint [REDACTED] [REDACTED] revise TVPA allegations; [REDACTED]		

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	<u>Rate</u>	<u>Amount</u>
[REDACTED] 9.0 [REDACTED] E-mail to Olivier .1		
10/30/2018 review Papes memos re issues for Third Amended Complaint .1	400.00/hr	4,240.00
[REDACTED] Make revisions per suggestions .5 Revise amended complaint, save changes 3.0 Locate Vuzern officers, locations, and references, save internet information .2 E-mail to clients questions about Eisenmann control .2 Further revisions, save changes 3.0 Continued revisions, save ongoing changes, save penultimate draft to pdf 3.0		
[REDACTED] continue to review and revise proposed Third Amended Complaint, [REDACTED] 3.0	400.00/hr	1,200.00
10/31/2018 memo re insert re payments .3	400.00/hr	5,480.00
[REDACTED] E-mail from Gregor .1 Add to Third Amended Complaint final charging allegations, revise terms used to make consistent, review for use of terms, Check for spelling, grammar, check paragraph numbering, save; proof read; prepare to e-file 12.0 Save notice of filed pleading, save filed Third Amended Complaint .1 E-mail to Baron .1		

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	<u>Rate</u>	<u>Amount</u>
E-mail to Rand		
.1		
E-mail to clients		
.1		
<div style="background-color: black; height: 50px; width: 100%;"></div>		
11/1/2018 save all e-mails and notes from past week		880.00
.2 (partially charged)	400.00/hr	
add bookmarks to Third Amended Complaint for later review, save		
.2		
E-mails to and from Travancic re death of Bojan Sprah; review internet		
postings		
.2		
E-mail to Bojic about translating Third Amended Complaint		
.1		
E-mail from Stjepan, download and save attached medical reports		
.2		
Memo re issues for heart condition claim		
.2		
Call with Bernay, e-mail from defense counsel re proposed briefing schedule		
.2		
Call with docket clerk about summons on amended complaint		
.1		
Prepare draft amended summons, prepare draft attachment re defendants,		
prepare to upload proposed First Amended Summons		
.4		
Prepare FOIA regarding Sprah records		
.3		
<div style="background-color: black; height: 30px; width: 100%;"></div>		
11/2/2018 memo re causation and proof		1,720.00
.2	400.00/hr	
Receive issued summons, save, print		
.1		
Direct organization of summons for later service after translations		
.1		
Begin outline of opposition to anticipated defendants motion to dismiss		
.5		
Prepare draft analysis of anticipated service motion based on order in other		
unrelated case located from research		
.3		
Prepare draft of oppo to anticipated MTD with substantial inserts re standards		
on motion to dismiss		
3.0		
<div style="background-color: black; height: 40px; width: 100%;"></div>		





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	<u>Rate</u>	<u>Amount</u>
.2		
call with process service companies re service abroad		
.4		
copy USB drive of draft documents		
.2		
E-mail with process server for Illinois		
.1		
E-mail with process server for California		
.1		
Payment for services, and e-mail confirmation		
.2 (no charge)		
several e-mails with counsel re acceptable briefing schedule		
.2		
		
11/5/2018 	400.00/hr	280.00
calls with process service companies		
.3		
copy USB drive of draft documents		
.2 (partially charged)		
11/6/2018 	75.00/hr	600.00
receive yesterday evenings filed defendant administrative motion re briefing schedule, declaration, and proposed Order	400.00/hr	1,480.00
.2		
		
calls with Danijel, Stjepan		
1.0		
		
E-mail from Elite re services in Illinois		

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	<u>Rate</u>	<u>Amount</u>
.1 Prepare declaration and opposition to defendants proposed briefing schedule for plaintiff response during holidays; prepare to e-file .5		
11/6/2018 [REDACTED] calls with Danijel, Stjepan .3	400.00/hr	520.00
11/7/2018 call with Stjepan .3 Wire payment to translator .1 (no charge) [REDACTED] .1 add to draft opposition to anticipated motion to dismiss 1.0	400.00/hr	640.00
11/8/2018 e-mail from Bojic re translations .1 E-mail from Bernay re approval for mediator .1 Review Matz profile, e-mails with counsel .2 Calls from Judge Matz assistant .1 E-mail from Olivier about attending mediation .1 Locate, review and save Procedural Guidance, and Standing Orders re class action settlements, court notice in Local Rules; read all .3 Call to and e-mail to Taube .1 [REDACTED] Multiple e-mails from Judge Matz re conflicts disclosure .1 Calls with clients .2 E-mail to counsel re availability for mediation .1 [REDACTED] E-mails to and from Elite Processing re proofs of service .1	400.00/hr	720.00

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		<u>Rate</u>	<u>Amount</u>
11/9/2018	Receive and review invoice and Proof of Service of Third Amended Complaint on [REDACTED] Eisenmann SE C/O Eisenmann Corporation, Eisenmann Anlagenbau GmbH & KG C/O Eisenmann Corporation, and, Eisenmann Anlagenbau Berwaltung GmbH c/o Eisenmann Corporation	400.00/hr	40.00
	e-mails with counsel re mediation, mediator, and scheduling .1	400.00/hr	400.00
	[REDACTED]		
	Check court calendar, call to and e-mail to and from counsel about timing of response to proposed stipulations re briefing schedule; update calendar entries .3		
	[REDACTED]		
	Receive and review yesterday e-mail from FedArb and Judge Matz, save, save attachments .2		
	Memo re machine translation into polish .1		
11/10/2018	receive invoice for and proofs for service in Illinois .1	400.00/hr	1,280.00
	Review inserts for 3AC, prepare fact allegations by reference to paragraphs of 3AC, prepare insert to add to draft opposition to anticipated motion to dismiss 3.0		
	Receive applications and orders for appearances by phone .1		
11/11/2018	[REDACTED]		600.00
	formatting draft oppo in Word Time: 1	75.00/hr	75.00
	conduct investigation re visa fraud, Tesla working conditions 2	400.00/hr	240.00
	[REDACTED]		
	Call with mentor Jim Kealey about case, facts and potential assistance, e-mail to Kealey .3		
11/12/2018	Receive and review faxed Order Setting Briefing Schedule and Page Limits of a Consolidated Motion to Dismiss	400.00/hr	40.00

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		<u>Rate</u>	<u>Amount</u>
11/12/2018	[REDACTED]		300.00
	Call with counsel about stipulations for dates to file and to allow judge to rule .2 receive, save, print and calendaring of Order on administrative motion re scheduling 1 [REDACTED]	400.00/hr	200.00
	E-mails to defense counsel that proposed stipulations are moot .1		
11/13/2018	e-mails by counsel and WCD to Judge Matz and to FedArb .1	400.00/hr	40.00
11/14/2018	[REDACTED]		75.00
	Organize, gather and download various pleadings 1.0	75.00/hr	
	e-mail from Judge Matz .1 E-mail to counsel and judge re mediation confidentiality rules .1 E-mails with clients about mediation and travel .1 Research and memo re preserving phone data, encrypted e-mail, data preservation, e-mail threads, and discovery obligations, save articles .2 Extract inserts re facts for intended opposition to anticipated MTD .2 Discuss with staff checking on current status of saving and organizing all digital and paper copies of pleadings .1	400.00/hr	320.00
11/15/2018	Receive and review letter from CT stating that they Eisenmann Anlagenbau GmbH Co. KG is not listed on their records or on the records of the State of CA letter from CT stating that they Eisenmann SE is not listed on their records or on the records of the State of CA Invoice from Elite Process Service, Inc. Affidavit of Service and Proof of Service for Eisenmann Anlagenbau GmbH Co. KG c/o Luc Attian, Registered Agent in IL Affidavit of Service and Proof of Service for Eisenmann SE c/o Luc Attian, Registered Agent in IL Affidavit of Service and Proof of Service for Eisenmann Anlagenbau Verwaltung GmbH c/o Luc Attian, Registered Agent in IL	400.00/hr	40.00

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		<u>Rate</u>	<u>Amount</u>
11/15/2018	call, memo to file and email to Chad of Process Service Associates re status .3	75.00/hr	22.50
	calls with Stjepan, e-mail with ticket service re travel .3	400.00/hr	1,280.00
	Receive and save itinerary, calendar; receive and save invoice .1		
	[REDACTED]		
	Prepare and direct staff to assist in preparing table of contents and table of authorities for anticipated oppo to MTD .2 (partially charged)		
	[REDACTED]		
	Multiple e-mails from Judge Matz and FedArb .1		
	E-mails with counsel about conference call .1		
	E-mail of counsel to Judge Matz .1		
11/16/2018	calls with Stjepan .2	400.00/hr	160.00
	[REDACTED]		
	e-mail from Judge Matz re issues for conference call .1		
	E-mail from Koons and Wrebel for Magna Intl .1		
	[REDACTED]		
11/19/2018	Receive and review original Proofs of Service from Smith Process Server in California	400.00/hr	40.00
	[REDACTED]	400.00/hr	600.00
	E-mail with counsel and FedArb about persons on call .1		
	[REDACTED]		
	mediation conference call with Judge Matz 1.0		
	Discuss with staff cross-reference of FOIA spreadsheet and Rule 26 Disclosure with our hand entered worker spreadsheet		

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	<u>Rate</u>	<u>Amount</u>
.1 E-mail to Olivier notes of call with mediator Matz .1		
11/20/2018 [REDACTED] [REDACTED] Updating B1 Worker spreadsheet 4.0	75.00/hr	307.50
[REDACTED] Prepare updated Rule 26 Disclosure .5 Review e-mail from Papes with attachments of work hours obtained from other workers, save, convert to pdf .2 E-mails between defense counsel re scheduling for mediation .1 Prepare draft demand to Eisenmann and Tesla per Judge Matz directions 1.5 Organize to send USB to Olivier 1.0	400.00/hr	1,440.00
11/21/2018 prepare to file, and review with staff, proofs of services on all Eisenmann entities .2 [REDACTED] E-mails from and to Sandra Bojic re translations into both Croatian and Slovenian .1 [REDACTED]	400.00/hr	320.00
11/22/2018 e-mail from Bojic about translations into both Croatian and Slovenian .1	400.00/hr	40.00
11/24/2018 locate Eisenmann v Durr pleadings re holder of patent claims for suit, save .2 Save memo re Tesla payment amounts .1 Revise and add to categories, summary and amounts in draft demand to Tesla and Eisenmann .4 Locate press release re new Toyota plant .1	400.00/hr	320.00

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	<u>Rate</u>	<u>Amount</u>
11/26/2018 [REDACTED]		5,000.00
[REDACTED]		37.50
File Eisenmann entities and Volvo in CA, IL, and DE .5	75.00/hr	
[REDACTED]		1,600.00
Email to R Casale re FIOA information .1	400.00/hr	
E-mail to Vandenberg and Taube .1		
E-mail with Judge Matz .1		
E-mail from Bernay .1		
Receive notices to re-file proofs of service .1		
[REDACTED]		
E-mail from Kealey .1 (no charge)		
[REDACTED]		
call with Stjepan 1.6		
call with mentor attorney Jim Kealy .4 (no charge)		
[REDACTED]		
E-mails from and to Judge Matz and FedArb .1		
[REDACTED]		
Review for filing proofs of service on German Eisenmann entities .1		
11/27/2018 [REDACTED]	400.00/hr	280.00
Prepare insert re settlement for anticipated motion to dismiss .1		
Prepare in final to send settlement demand to Eisenmann and Tesla per		

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		<u>Rate</u>	<u>Amount</u>
	Judge Matz as soon as defts sign the agreement to mediate .2		
11/28/2018	[REDACTED]	75.00/hr	75.00
	[REDACTED]	400.00/hr	960.00
	E-mail from Taube, call to attorney Velton .1 (no charge) e-mails between counsel and clerk re filing .1 calls with Jim Kealey 1.0		
	[REDACTED]		
	E-mail to counsel re sending settlement demand upon Tesla execution of mediation agreement .1		
11/29/2018	receive notice of and save Motion to Dismiss, and exhibits; e-mail to staff to save, print and organize for filing .1 Skim review .2 prepare additions to and save updated opposition to motion to dismiss .4	400.00/hr	280.00
11/30/2018	updated cites in table of authority and TOC for the oppo motion Time: 2	75.00/hr	150.00
	[REDACTED]	400.00/hr	1,200.00
	Update draft demand .1		
	[REDACTED]		
	Add to draft opposition to motion to dismiss 1.5 Discuss with Stacie in office work on Lesnik oppo to Defts Joint MTD .1 E-mail from Walter H. Skip Walker, III about analysis of pleadings and judges order on MTD to 2nd Amended Complaint .2 E-mails from Bernay and to counsel that waiting for mediation agreement to be signed by defendants to send out demand		





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		<u>Rate</u>	<u>Amount</u>
.1	[REDACTED]		
	Receive and review defendants proposed Order on Motion to Dismiss		
.1	E-mail to Walker firm attaching relevant pleadings, disclosures and documents		
.2			
12/2/2018	call with Stjepan		800.00
1.0		400.00/hr	
	call with Gregor		
.3			
	meeting with Danijel		
.3			
	call with Jim Kealy		
.4			
12/3/2018	[REDACTED]		82.50
	Organize file	75.00/hr	
1.0			
	[REDACTED]		920.00
	Locate and save cases cited by defendants	400.00/hr	
1.0			
	Locate and save cited statutes		
5			
	[REDACTED]		
	Add to opposition to motion to dismiss		
.5			
12/4/2018	Gather documents and organize Proofs of service and Pleadings		112.50
1.5		75.00/hr	
	save e-mails with consulting attorneys and clients		1,640.00
.1		400.00/hr	
	Call from attorney Foran about Tesla changes to mediation agreement		
.2			
	Call to Kim Friday re government position re settlement		
.1			
	[REDACTED]		
	Receive order denying motion to quash as moot		
.1			
	E-mails from Foran to FedArb, receive and save mediation agreement with Tesla modifications		

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	<u>Rate</u>	<u>Amount</u>
.2 E-mails with attorneys at Walker firm about scheduling meeting		
.1 E-mails with Walker firm re proposed demand to Eisenmann and Tesla		
.1 Receive e-mail of intended agreement by Eisenmann with Teslas revised mediation agreement		
.1 Add to, revise and prepare penultimate draft of demand, brief, and attached calculations of damages		
2.0 E-mail settlement demand to defense counsel		
.1 E-mail to Walker		
.1 E-mail to Papes for information about Magna entities		
.1		
12/5/2018 Calls to Illinois District Court, memo to file		22.50
.3	75.00/hr	
went to Santa Clara County Law Library to look up case authority in the Omnibus Motion to Dismiss 3AC		112.50
Time: 1.5	75.00/hr	
receive and save letter from Kim Friday re US settlement guidelines for FCA		600.00
.1	400.00/hr	
travel to and from San Francisco		
2.0 (no charge)		
conf with Skip Walker, Tim Hamilton, and Jim Kealy		
2.5 (no charge)		
complete to exchange mediation brief with calculation of damages		
1.0		
E-mail from counsel re agreement to form of mediation agreement		
.1		
		
Multiple e-mails between defense counsel and Judge Matz about form of mediation agreement		
.2		
12/6/2018 begin preparations for mediation		75.00
1.0	75.00/hr	
		
	400.00/hr	480.00
Review defendants mediation statement and e-mails from counsel for Eisenmann		
.2		
E-mails to mediator and counsel re confidentiality, and re proposed scope of mediated agreement		
.3		

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		<u>Rate</u>	<u>Amount</u>
	E-mail to Walker firm .1		
	E-mail from counsel for defendants about appearance at mediation of individual .1		
	E-mail from Judge Matz .1		
	E-mail from Walker .1		
	E-mail to clients forwarding e-mail from Judge Matz .1		
	[REDACTED]		
12/7/2018	Formatting and updating the tables in MPA Time: 1.75	75.00/hr	131.25
	Conf with Jim Kealy .2	400.00/hr	360.00
	[REDACTED]		
	E-mail from Fed Arb, review and execute agreement, e-mail to FedArb; wire funds .1		
	E-mail from Teslas counsel re appearances at mediation .1		
	E-mail from Walker about no attendance by Travancic, e-mail to Walker .1		
	E-mail from and to Judge Matz re attendance at mediation .1		
	E-mail mediation disclosure forms to clients .1		
	E-mails from Walker to Judge Matz, e-mails from Judge Matz to Walker .1		
	Conference with Jim Kealy .4	400.00/hr	360.00
	Calls with Stjepan, Gregor, and Danijel Travancic .5		
12/8/2018	calls from and e-mails with Danijel, Gregor and Stjepan denial of ticket for Stjepan .2	400.00/hr	480.00
	evaluate options for travel, locate and upload DHS form 590 Traveler inquiry .3		
	E-mails to and from Papes .1		
	E-mail to DHS .1		
	Calls with consultant, Receive and save passport and visa, extract caption page of filed 3AC, e-mail to consultant		

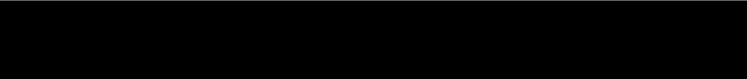
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	<u>Rate</u>	<u>Amount</u>
.2		
E-mail to Asst USAG Friday		
.1		
E-mail from Papes with statement of denial of entry		
.1		
E-mail to Papes, return e-mail with copy of photo of envelope		
.1		
12/9/2018 Formatting and updating the tables in MPA		18.75
Time: .25	75.00/hr	
[REDACTED]		40.00
[REDACTED]	400.00/hr	
e-mails to all re mediation schedule and travel arrangements and mediation process		1,120.00
.1	400.00/hr	
E-mail from and to Friday re denial of entry for Papes		
.1		
E-mails with clients about mediation		
.1		
E-mails with Bojic, Save, sign, and issue wire transfer payment for translation into Slovenian		
.2		
Discuss with staff memo to identify authorities in defendants current MTD that were not cited in prior MTD; review memo of same		
.1		
Add to draft MPA in opposition to motion to dismiss		
2.0		
E-mail to clients about having Gregor present, discuss flight and travel arrangements		
.2		
12/10/2018 Gather, scan, copy and organize and index documents for mediation		450.00
Prepare Mediation Index	75.00/hr	
6.0		
12/11/2018 Gather, scan, copy and organize and index supporting documents for mediation		525.00
Prepare Mediation Supporting Docs Index	75.00/hr	
7.0		
calls with Danijel about Stjepan Papes visa being recalled, changes in flights on second attempted travel		960.00
.3	400.00/hr	
Calls about status of Gregor Lesnik flights		
.2		
Add Gregor to settlement authority list for mediation		
.1		
Attempted call to Kim Friday		
.1 (no charge)		
e-mail to counsel and mediator about attendees		

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		<u>Rate</u>	<u>Amount</u>
	.1 Organize files, notes and documents for mediation		
	1.5 Direct staff to obtain corporate articles and information for foreign entities		
	.1 E-mails with counsel re status		
	.1		
12/12/2018			82.50
	Print out pages of B1 Visa spreadsheet and fax to Mediation	75.00/hr	
	.3		
	conference with Gregor, travel to and from and attend all day mediation with Eisenmann and Tesla, neutral, Judge Howard Katz, held at Boies, Schilling, 1999 Harrison Street, Oakland; conference with Skip Walker regarding further activities; calls with Stjepan about status	400.00/hr	4,880.00
	12.0 		
	E-mail to Eschoo		
	.1		
12/13/2018	texts with Stjepan		2,440.00
	.2	400.00/hr	
	E-mail from CBP Info Center		
	.1 		
	E-mail to Kealey, and from Kealey		
	.2		
	Prepare to do list based on discussions with Walker following mediation		
	.8		
	E-mail to Walker office, e-mail from Koenig confirming plan		
	.1		
	Call with attorney Friday, e-mail to Friday		
	2 		

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		<u>Rate</u>	<u>Amount</u>
12/14/2018	<div style="background-color: black; width: 500px; height: 60px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 400px; height: 50px; margin-bottom: 5px;"></div> Research recovery of mediation costs .2 Research video and confrontation clause .1 Update status of to dos .2 Research re settlement credits .1 Research personal jurisdiction waived by litigating merits .4	400.00/hr	1,560.00
	<div style="background-color: black; width: 400px; height: 50px; margin-bottom: 5px;"></div> Research personal jurisdiction .1 Add to draft MPA in opposition to motion to dismiss 1.0 E-mail from Judge Matz .1		
12/15/2018	discuss Gregor flights from SFO to return .2	400.00/hr	240.00
	<div style="background-color: black; width: 500px; height: 50px;"></div>		
12/16/2018	save photos of tickets, passports and visas re travel to and from mediation .1 Add to draft opposition to mtd 1.0 Prepare administrative motion for leave to amend heading; prepare proposed stipulation, e-mail to counsel proposed stipulation, save as exhibit .3 E-mail to counsel for Eisenmann that time to respond has expired .1	400.00/hr	600.00
	review and revise opposition to consolidated motions to dismiss	400.00/hr	160.00
12/17/2018	update to do list .2 Prepare revised dismissals of specified C/A against specified defendants; save all to pdf; check for accuracy and completeness against list 1.0 E-mails with <div style="background-color: black; width: 100px; height: 1.2em; display: inline-block;"></div> Bernay, and <div style="background-color: black; width: 40px; height: 1.2em; display: inline-block;"></div> re status of consents for	400.00/hr	2,560.00

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	<u>Rate</u>	<u>Amount</u>
dismissals, calls to Petty, e-mail to counsel .6 [REDACTED]		
Receive government consent to dismissal of specified defendants 1 [REDACTED]		
Research authorities cited in and analysis from TRG, Federal Civil Procedure Before Trial, Memo re inserts to MPA 2.0 E-mails with Walker office .1		
12/19/2018 [REDACTED]	400.00/hr	1,880.00
add to draft Plaintiffs opposition to consolidated motions to dismiss 2.5 Discuss additions to and updates of tables .3 Proof and revise MPA .6 File Opposition to Motion to Dismiss .1 E-mail to Walker office .1 Prepare draft declaration to support entry of default against Eisenmann SE 1.0		
12/20/2018 receive defendant opposition to admin motion to amend heading .1	400.00/hr	40.00
12/22/2018 e-mail from Bojic re status of Slovenia translation .1	400.00/hr	40.00
12/23/2018 research re unambiguous statutes .5 Prepare FOIA re arrests 2 [REDACTED]	400.00/hr	440.00
12/27/2018 prepare declaration supporting entries of default, locate exhibits to support service, save documents for exhibits, revise declaration, revise request for entry of default 1.2 Prepare similar declaration and request for default against Eisenmann	400.00/hr	1,040.00

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	<u>Rate</u>	<u>Amount</u>
Anlagenbau GmbH .4 Prepare similar declaration and request for default against Eisenmann Anlagenbau Verwaltung GmbH .4 Prepare to e-file and e-file requests to enter default 1 		
12/29/2018 receive, download and save Slovenian translation .2 Prepare insert for Joint CMC Statement .2	400.00/hr	160.00
12/31/2018 Worked on Service for Third Amended Complaint 1.  save memo of additional costs for flights .2 E-mails with counsel, receive defendants proposed Joint CMC Statement, review .3 prepare memo re inserts, review, revise memo re inserts, revise Joint CMC Statement, e-mail to counsel .7 Memo re bases of claims against Eisenmann SE .2	75.00/hr  400.00/hr	75.00  560.00
1/1/2019 save remotely revised draft Joint CMC Statement; review same .1	400.00/hr	40.00
1/2/2019 save e-mails of past week .1 E-mails to and from counsel re changes to CMC Statement .2 Call with Skip Walker firm about CMC Statement .1 complete Joint CMC Statements; receive e-filed Statement .3	400.00/hr	400.00
1/3/2019 Prepared Customs Declaration CN 22 forms for service by mail	75.00/hr	225.00
Receive and review letter from CT rejecting service of Eisenmann SE	400.00/hr	40.00
e-mail to Walker .1 E-mail to clients .1	400.00/hr	1,280.00



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		<u>Rate</u>	<u>Amount</u>
	Save Croatian translation of Third Amended Complaint		
	.1		
	Prepare service list		
	.2		
	Prepare waivers of service for all Slovenian and Croatian defendants including for business and service addresses if different		
	1.4		
	Direct mailing organization, scan waivers, scan envelopes		
	.3		
1/4/2019	call with Jim Kealey		480.00
	.2	400.00/hr	
	Prepare summary of law for response to motions to quash, prepare e-mail to Walker firm about opposition to motion		
	1.0		
1/5/2019	Prepared Customs Declaration CN 22 forms for service by mail		300.00
	3.0	75.00/hr	
	Researched Slovenia and Croatia Server for Process		
	1.0		
	search for Slovenian Process Service Network, locate and save information		80.00
	.2	400.00/hr	
1/7/2019	direct organization of mailing of waivers		160.00
	.1	400.00/hr	
	Receive e-notice of January 4 continuing CMC		
	.1		
	Receive e-notice of entries of default against Eisenmann German entities and of Gregurec, Ltd.		
	.1		
	Receive reply e-mail from Process Net for service in Slovenia and Croatia		
	.1		
1/8/2019	Receive and review letter from Counsel to Eisenmann Corp. enclosing Defendants Motion for Sanctions and Declaration of Kaitlyn Murphy in Support of Defendants Motion for Sanctions	400.00/hr	40.00
	[REDACTED]		
	receive Eisenmann and Tesla reply in support of motion to dismiss, chart of claims, save, print, review	400.00/hr	800.00
	.4		
	E-mail from Ta with attachment of demand to dismiss Lesniks claims; download, save, review, review attachments to demand letter		
	.4		
	Research cited authorities, save		
	.2		
	Prepare memo of response to defendant reply in support of MTD		
	1.0		

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	<u>Rate</u>	<u>Amount</u>
1/9/2019 Prepared new spreadsheet for Amended Third Complaint service	75.00/hr	37.50
e-mail from Chiem, [REDACTED] prepare draft response; forward to Walker for review; e-mail from Peter Koenig; e-mail to Chiem	400.00/hr	600.00
1.0 review updated service list, review notes of calls with persons with other companies,		
.2 E-mails with clients re medical records and status		
.1 For opposition to motion to vacate, locate prior letters to counsel and save to pdf,		
.2		
1/10/2019 [REDACTED]	400.00/hr	40.00
1/14/2019 research FRCP 41(d) regarding recoverable costs		
.3 [REDACTED]	400.00/hr	240.00
1/16/2019 [REDACTED]	75.00/hr	7.50
1/21/2019 Update FOIA spreadsheet	75.00/hr	37.50
1/22/2019 Update FOIA spreadsheet	75.00/hr	75.00
research re Stored Communications Act		
.2 Prepare spreadsheet of FOIA requests	400.00/hr	240.00
.2 Research public discussion by attorneys about cases; 9th Circuit SLAPP procedures		
.2 Locate articles of and about Skip Walker		
.2 (no charge)		
1/23/2019 worked on FOIA Spreadsheet	75.00/hr	22.50
research authorities re settlement, save decisions		
.8	400.00/hr	320.00
1/24/2019 [REDACTED]	75.00/hr	75.00

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	<u>Rate</u>	<u>Amount</u>
1/24/2019 prepare letter response to demand by defendants to dismiss claims by Lesnik 2.5 E-mails to counsel for defendants .1 E-mail to Walker firm re status .1	400.00/hr	1,080.00
1/28/2019 revise and complete letter directing service on Slovenian and Croatian defendants, calls with process servers for foreign service, memos to file, e-mails with Process Net, e-mails with DGR Legal, e-mails with Croatian counsel Marjan Aleksic 1.2 Conduct research re Judge Koh rulings including saving relevant Orders in other cases re motions to file under seal, objections to evidence, discovery cut off and exceptions, procedures for witness lists and exhibits, and for trial briefs, deadlines and closing arguments, expert witness topics, admissions by consultant of party, and admissibility of depositions taken outside of United States 1.0 (partially charged)	400.00/hr	880.00
	400.00/hr	560.00
Review assigned Judge Khos orders in unrelated action, save orders for reference 1.0 E-mails with Odvetnik Marjan Aleksic re service .1		
1/29/2019 	400.00/hr	1,280.00
Discuss with staff obtaining records of other Eisenmann case through Federal Record Center .1 Observe closing arguments, memo to file re procedure for Judge Koh, discuss with counsel discovery and trial presentations 3.0		
Calls to Chicago District Court re acquiring copies of pleadings in Eisenmann v Regenerative Env., memo to file Register with Federal Records, begin order .5	75.00/hr	37.50
contact federal record center and Illinois District Court for files re Eisenmann patent claims and other lawsuits .2 observe trial proceedings 2.0 (no charge)	400.00/hr	80.00

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	<u>Rate</u>	<u>Amount</u>
1/30/2019 research citation of unpublished Ninth Circuit decisions, save memo to file .2 Receive e-mails between counsel for Eisenmann and courtroom deputy, calendar hearing date, calendar opposition due date based on tentative hearing date, revise earlier drafts of oppositions to anticipated motions .4 Prepare draft of declaration in opposition to anticipated motion to set aside default .5 Add to prior draft of opposition to anticipated motion to vacate .2 Save memos of prior research re [REDACTED] [REDACTED] and re specific jurisdiction .1	400.00/hr	560.00
e-mails between Ta and clerk about scheduling motions re service .1 Research Ninth Circuit rule re unpublished decisions .1 Prepare draft declaration in opposition to motion to quash 2.0 Prepare outline for and begin draft MPA .4 Research re statistics in courtroom .2 [REDACTED] Research re specific jurisdiction .1	400.00/hr	1,280.00
1/31/2019 receive e-mails about scheduling hearing on German Eisenmann entities motions to quash and to set aside court clerk defaults .2 Calendar hearing date and opposition due date .1	400.00/hr	120.00
2/1/2019 receive, download, save and review German Eisenmann entities motion to quash and motion to set aside default; calendar hearing and opposition due date; add to existing draft of MPA in opposition to motions; locate all e-mails with Bernay, save e-mails and other documents for proposed exhibits, research cases cited by defendants, add to MPA in opposition to motion to set aside default, add to draft declaration; evaluate significance of calls with Bernay 4.0	400.00/hr	1,600.00
e-mails from Process Service Network re 13 Hague Services in Slovenia and for 3 Hague Services in Croatia, save .1	400.00/hr	2,080.00

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	<u>Rate</u>	<u>Amount</u>
Receive and save Eisenmann motion to quash, motion to set aside default, proposed Orders; print, review .3		
Locate for exhibits letters between counsel re filing stipulation for defendants, service, and due dates; save to pdf, organize for exhibits .8		
Add to draft opposition to motion to quash .5		
Begin draft declaration in opposition to motion to vacate 2.0		
Prepare initial draft of MPA in opposition to motion to vacate 1.5		
2/2/2019 research re service and re defaults, save memo, add to draft MPA in opposition to motion to quash 1.5	400.00/hr	2,120.00
Research re motion to set aside, review and revise and prepare penultimate draft of MPA in opposition to motion to set aside default, discuss with staff formatting, save 1.2		
Review prior filings, research for changes in statutes; Prepare administrative motions to serve ISM Vuzem USA, Inc., including proposed Orders, convert to pdf and upload, review local rules for changes in submission of proposed orders, prepare e-mail to Judge Koh 1.4		
Prepare draft declaration in opposition to German Eisenmann entities motions 1.2		
Motion Oppo Vacate TOC, TOA-Table of Authorities Time: 1	75.00/hr	75.00
research re foreign service under California law, memo .2	400.00/hr	720.00
Locate and review form for Request for Service Abroad .1		
Add to draft opposition to motion to quash .2		
Prepare second administrative motion to serve ISM Vuzem USA, Inc., order .5		
Prepare second administrative motion to serve Vuzem USA, Inc., order .2		
E-mail to Judge Kho .1		
Add to draft declaration in opposition to motion to vacate .5		
2/3/2019 evaluate further evidence relevant to service on Eisenmann entities .5	400.00/hr	200.00
2/4/2019 e-mail from Papes re services in Croatia and Slovenia, save attachment, translate to English and save; call with Stjepan about service, workers, status and Eisenmann issues; e-mail to counsel re service; e-mail to counsel re	400.00/hr	440.00



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	<u>Rate</u>	<u>Amount</u>
worker Robert Hernaus; received rejected e-mail address responses, e-mails with Stjepan, further attempted e-mails 1.0 Direct delivery of administrative motions to Judge Kohs courtroom .1		
2/4/2019 personally deliver filed documents to Judges Chambers .4	75.00/hr	30.00
e-mails with Papes about contact for service and explanation, google translate, evaluate options .3 E-mail to Odvetnik Tomaz Germ .1 E-mail to Odvetnik Maja Vidovic .1	400.00/hr	200.00
2/5/2019 e-mails from Stjepan, re-send e-mails to Odvetnik Vidovic re service, and to Odvetnik Germ re Robert Hernaus .1 Call to Ingo Brauer .1	400.00/hr	80.00
Receive and review letter from Jill Eggleston, Director of FOIA Operation re requested information	400.00/hr	40.00
Further e-mails with Papes .1 Send revised e-mail addresses .1 Call to Ingo Brauer .1 Receive orders to serve US based Vuzem entitiiese .1 Discuss obtaining records through US National Archives .1	400.00/hr	200.00
2/6/2019 receive e-notice of, download, save and print Orders granting administrative motions to serve ISM Vuzem USA, Inc. and Vuzem USA, Inc. .1	400.00/hr	40.00
Locate Eisennann v Regenerative Environment Company, Inc. court documents and order .5	75.00/hr	37.50
2/7/2019 discuss service on Vuzem US entities .1	400.00/hr	40.00
Receive and review Certified Mailing Receipt re ISM Vuzem USA	400.00/hr	40.00

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		<u>Rate</u>	<u>Amount</u>
2/7/2019	Prepared for service Vuzem USA and Served, personally went to Post Office .5 Prepared for service ISM Vuzem USA .4  assist in preparing documents for service on ISM Vuzem USA, Inc. and Vuzem USA, Inc.; review service instructions; direct scan of all documents being served .4	75.00/hr	67.50
2/9/2019	analyze further activities concerning Croatian and Slovenian service .1 Analyze further activities concerning Eisenmann entities .2	400.00/hr	120.00
2/10/2019	 Locate LAX declarations regarding Eisenmann Corporation presence in California .1 Prepare portions of facts for identification of exhibits to be located for exhibits .3  	400.00/hr	200.00
2/11/2019	Receive and review returned returned returned Bosnia translated Complaint  e-mail from and to Papes and Lesnik re status of motion to dismiss, filings, and legal analysis .3 locate filings re German Eisenmann entities, save into folder for exhibits to declaration in opposition to motions to quash and to set aside; conduct research re Delaware corporate information 1.0 Add to draft declaration .3 E-mail from attorney .1 Calls with Stjepan and Danijel re service in Slovenia and Croatia .5 Prepare e-mail re service .4 Direct staff to locate articles for Eisenmann Anlagenbau Verwaltung and assist in download .1 (partially charged) begin to locate documents from our Rule 26 production for evidence on relationship of the Eisenmann entities .5 begin to index as exhibits by alpha for German Eisenmann entities .2	400.00/hr	40.00
		400.00/hr	2,360.00

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	<u>Rate</u>	<u>Amount</u>
Research all cited authorities by Eisenmann entities, download and save for further analysis 1.0 (partially charged) begin review and analysis of cited authorities, prepare draft memo for inserts to MPA 1.5		
2/11/2019 locate articles and corporate status information for Eisenmann entities, save as exhibits to draft declaration 1.0 E-mail to clients re status, and summary of arguments on pleadings motions and oppositions .3 E-mail from Croatian attorney stating best way to serve is to contact notary public and assign service to notary; forward to clients .1 Call with Papes, call with Travancic .2 Prepare detailed letter of what to serve, where to serve, and required service by both post and in person .5 Save details from secretary of state websites re Eisenmann entities .2	400.00/hr	920.00
2/12/2019 further research on German Eisenmann entities cited authorities, save cited authorities .2 Review our Rule 26 Production to locate and extract as individual exhibits Eisenmann entities documents; locate confirmation on internet of Bernd as Eisenmann SE manager; locate other documents, organize for exhibits 3.5 Direct staff in preparation of exhibit dividers for filing exhibits .1 (partially charged) add to Declaration .2 Direct staff to organize, name and prepare index of exhibits for declaration .3 (partially charged) Direct staff in preparing list of exhibits .1 Continue review and analysis of defendants cited authorities, add to memo for insert to MPA on motion to quash 2.5 E-mail from Papes, e-mail to Papes of documents to serve .2	400.00/hr	2,840.00
Exhibits for Oppo Mnt to vacate, label, combine	75.00/hr	225.00
download One legal invoices .1 Prepared Exhibit cover pages A through ZZZZ .9	75.00/hr	172.50



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	<u>Rate</u>	<u>Amount</u>
Translate documents .3 Organize file .8 Check status on patent pleadings .2		
2/12/2019 organize, scan, save, index, and identify exhibits for opposition to motions to quash 5.0 locate provisions in Eisenmann contracts re jurisdiction, save relevant text .2 Locate Eisenmann press releases and website postings re participation and actions in US .2 Add text to draft declaration in opposition to motion to quash .4 Prepare inserts to draft MPA re permissible service under FRCP, and under Delaware, California and Illinois law .3 E-mail from Papes re notaries in Croatia, E-mail to Papes documents to serve .2	400.00/hr	2,440.00
2/13/2019 further research on German Eisenmann entities cited authorities 1.0 (partially charged) extract analysis from German Eisenmann entities own cited authorities to add to MPA in opposition to motion to quash .5 Locate additional documents to identify directors and officers for all Eisenmann entities; direct staff to to organize, name and prepare index of exhibits for declaration 1.7 Add to and revisions to draft declaration .8 Add to draft MPA in opposition to motion to quash 3.0 Call from manager of Azalea Hills Apartments re service on Branko Tomas as registered agent for ISM Vuzem USA, Inc .1 Download and review declarations in support of defendants Eisenmanns motion to quash .2	400.00/hr	2,920.00
Prepared Exhibit List for Declaration of William C. Dresser in Opposition to Defendants' Eisenmann SE, Eisenmann Anlagenbau Verwaltung GmbH, and Eisenmann Anlagenbau GmbH & Co. KG's Motions to Quash and to Set Aside the Clerks Entry of Default 4.	75.00/hr	307.50
review TRG publication, locate, save and review authorities re service .4 Revise and update insert re permissible service	400.00/hr	3,480.00

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	<u>Rate</u>	<u>Amount</u>
.1 Add to draft MPA in opposition to motion to quash		
3.0 Re-review declarations of Hickman, Seiler and West for inconsistencies and contradictions with filings and known facts		
.5 Read contracts and MOM; Prepare insert re Eisenmann duties from known contracts		
.5 Call with Azalea Hills Apartment manager re tenants and receipt of mail, memo to file		
.2 Add to draft declaration including explanation of exhibits and relevance		
4.0		
2/14/2019 Receive and review Certified Receipt re Branko Tomas signed by M. Dean		40.00
<div style="background-color: black; width: 350px; height: 1.2em; margin-bottom: 5px;"></div>	400.00/hr	
revise organization of draft MPA in opposition to motion to quash, review and revise text of MPA		3,880.00
1.5	400.00/hr	
Review compiled exhibits and exhibit lists, revise exhibits, revise bookmarks, locate additional documents from our Rule 26 documents and from the internet; direct staff in revisions to compiled exhibits and to index of exhibits for declaration		
1.5		
Add to draft declaration		
.9		
Calls with ecf help re bookmarks		
.1		
Assist in e-filing declaration and exhibits		
.1		
Add to and complete MPA in opposition to motion to quash other than exhibit references		
2.0		
Insert exhibit references to MPA in opposition to motion to quash		
1.5		
Prepare table of contents and table of authorities		
1.0		
Insert exhibit references to MPA in opposition to motion to set aside		
.4		
Complete and save MPAs, convert to pdf, e-file		
.3		
E-mails to co-counsel and to clients		
.2		
Receive e-notice, download, save and review government Statement regarding motion to dismiss		
.2		
Completed Exhibit List for Declaration of William C. Dresser		465.00
3.5	75.00/hr	
Research entity names, prepared Declaration		

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		<u>Rate</u>	<u>Amount</u>
	2.0 Assisted in preparing declaration .7		
2/14/2019	direct completion of exhibit list for declaration, review, revise .5 Review Eisenmann proposed Order .1 Compile 604 pages of exhibits for draft declaration in opposition to motions to quash and to vacate .5 Revise and proof draft declaration .5 Locate additional documents re Eisenmann entities profiles, corporate officers and directors, lists of members, affiliated entities, supervisory board, linked entities 2.0 Update declaration to identify relationship between foreign and US Eisenmann entities 1.0 Compile 635 pages of exhibits for final declaration .2 Inserts to declaration of final exhibit list .3 Complete to file declaration, complete to file exhibits .2 Complete MPA in opposition to motion to quash 1.3 complete MPA in opposition to motion to vacate / set aside 1.0 Organize to file oppositions to motions, including exhibits parts 1 and 2 .2 Receive confirmation of e-filing of declarations, exhibits, and MPA .1 E-mails to Walker firm and to clients .1	400.00/hr	2,920.00
2/15/2019	download and save e-mails .1  print filed pleadings and organize for delivery of courtesy chambers copy to court and delivery to court .6 (level 3) Print filed pleadings and organize for our files .3 (level 3)	400.00/hr  400.00/hr	40.00  280.00
2/16/2019	review e-mail from attorney Bernay .1	400.00/hr	40.00
2/18/2019	call with Stjepan Papes re service .2 E-mail to Stjepan, Gregor and Danijel	400.00/hr	360.00

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	<u>Rate</u>	<u>Amount</u>
.1 Wire funds		
.1 (no charge) e-mail to Papes		
.1 Prepare response to Bernay e-mail re release agreement		
.2 [REDACTED]		
2/18/2019 e-mail from Bernay and counsel; e-mail to counsel re bases for opposition to proposed motion to dismiss causes of action by Lesnik	400.00/hr	360.00
.2 E-mails with clients about service in Slovenia by both post and personal service		
.2 [REDACTED]		
2/19/2019 calls and texts with Stjepan Papes, Gregor Lesnik and Danijel Travancic re service	400.00/hr	560.00
.4 Wire funds		
.1 (no charge) prepare for and conference call with attorneys Bernay, Murphy and Foran re their Rule 11 letter and settlement agreement, memo to file		
1.0  Track Service Packets for Third Amended Complaint, print out status and update Service Spreadsheet	75.00/hr	112.50
1.5  locate and save statements of information for foreign corporations		360.00
.1 Discuss with office staff locating and saving USPS tracking of delivery of waivers to all Slovenian and Croatian companies	400.00/hr	
.1 Prepare for and call with Bernay and defense counsel re basis of Lesnik claims both other than as specified to be released, and for events after 2016		
.7  2/20/2019 calls and texts with Stjepan Papes, Gregor Lesnik and Danijel Travancic re service	400.00/hr	40.00
.1		

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	<u>Rate</u>	<u>Amount</u>
2/22/2019 receive, download and save, and review, Eisenmann entities reply in support of motion to quash including Order and Judgment in patent case and further declaration of West; same for reply in support of Motion to Set Aside Default .2	400.00/hr	80.00
Receive and review Service package returned from [REDACTED] and HRID	400.00/hr	40.00
receive Eisenmann reply in support of motion to quash, along with exhibits; save, print, review same .2	400.00/hr	160.00
Receive Eisenmann reply in support of motion to set aside, save, review .2		
2/24/2019 e-mails from Gregor, download, save and review service on We-Kr, translate proof of service .2	400.00/hr	80.00
e-mail from Papes re service in Croatia, and service in Slovenia .1	400.00/hr	240.00
[REDACTED]		
Receive, save and review proposal by Odvetnik Luka Divjak re services in Slovenia .1		
Organize documents re service and requests to serve, prepare file for same .2 (partially charged)		
2/25/2019 Translate document, email to Danijel 1.5	75.00/hr	112.50
e-mails from Papes, [REDACTED]		200.00
[REDACTED] e-mail from Gregor, discuss cleaning up translation to attach to Return of Summons Executed for filing .2	400.00/hr	
Call with Papes .2		
Wire funds for Slovenian Odvetnik to review pleadings prior to service .1 (no charge)		
locate accident documents, convert to pdf, e-mail to Gregor .5		
locate visa payment for Regional Medical Hospital, save .1	400.00/hr	160.00
[REDACTED]		

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	<u>Rate</u>	<u>Amount</u>
2/26/2019 review translation changes per Danijel .1 Discuss saving information of returned envelopes, and compare with prior envelopes not being returned .1	400.00/hr	80.00
[REDACTED]	75.00/hr	45.00
receive proof of service delivered on [REDACTED] and HRID-Mont, d.o.o., save; update service list .2 Receive USPS registered mail confirmation of delivery to Ivan Vuzem, scan, save .1	400.00/hr	120.00
2/27/2019 Receive and review Third Amended Complaint packet re Ivan Vuzem returned	400.00/hr	40.00
3/1/2019 [REDACTED]	400.00/hr	200.00
Receive and review Proof of Service re Vuzem USA	400.00/hr	40.00
[REDACTED]	400.00/hr	160.00
E-mail from Papes re we-Kr worker Pongracic .1		
3/4/2019 review e-mails re Kaitlyn Murphy withdrawal as counsel .1	400.00/hr	80.00
[REDACTED]		
Scanned Certified Return Receipt re Branko Tomas and saved to server .1	75.00/hr	7.50
[REDACTED]	400.00/hr	120.00
receive letter from CT Corporation re service .1		
[REDACTED]		
3/5/2019 call Walker, call Ingo Brauer, call Emily Rand of CBSN .2 Receive applications to appear by phone .1	400.00/hr	200.00

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	<u>Rate</u>	<u>Amount</u>
Receive e-mail about application by attorney Murphy to withdraw as counsel for Eisenmann entities .1		
E-mail from Palmer re long hours publications in Bloomberg Law News .1		
3/6/2019 US ex rel Lesnik calls with attorney Bernay about his request to reschedule hearing, including being present on his conference call to courtroom deputy .2	400.00/hr	80.00
call with attorney Bernay regarding defendants request to continue hearing on motions to quash; schedule of CMC .2	400.00/hr	80.00
3/7/2019 e-mail from Ta to Judge Kohs department, e-mail to department .1	400.00/hr	40.00
e-mail from Bernay to courtroom deputy, e-mail to courtroom deputy to clarify what was discussed about scheduling; update calendar .2	400.00/hr	80.00
3/8/2019 save e-mail from Ta to court .1 Memo of activities to prepare for hearing on motion to dismiss .2	400.00/hr	120.00
3/10/2019 evaluate next activities for hearing on motion and for CMC .1	400.00/hr	40.00
3/11/2019 receive e-notice of, download, save and review withdrawal of Murphy and appearance of Holtzman for Eisenmann; research re new counsel .2 Save e-mails of past week by defense counsel to Judge Kohs Department .1 E-mail to Gregor and Stjepan regarding proofs of service .1 E-mail from Stjepan, download and save attachment .1 E-mail from Gregor, download and save attachment of certificates of service by post, sort each as to individual defendant, e-mail to Gregor .2 Receive notice vacating hearing on motion to dismiss, save .1 Begin to download proofs of services attached to Gregor Lesnik e-mails .5 Call from Stjepan .1 E-mail from and to Skip Walker re status .2	400.00/hr	640.00

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	<u>Rate</u>	<u>Amount</u>
3/11/2019 e-mail from Papes, receive, save, and print proofs of service		400.00
.1	400.00/hr	
E-mails to clients to forward and request servers to forward all proofs of service to file prior to CMC		
.1		
Receive 7 e-mails from Gregor, with multiple proofs of service by post and by mail; save pdf and jpeg and presentation digital copies; translate e-mail from Odvetnik Divjak; translate e-mail from Papes; translate e-mail from Gregor		
.5		
Update service status spreadsheet		
.1		
Receive e-notice of vacating hearing on motion to dismiss		
.1		
E-mail to and from attorney Walker		
.1		
3/12/2019 e-mail from and to counsel Walker		440.00
.1	400.00/hr	
Discuss with staff proofs of service on Slovenian persons		
.2		
E-mails from Gregor re service, partially save, discuss with staff saving documents for proof of service, organization of same, and need for translation		
.3		
E-mails with Gregor and Stjepan re service and billings, wire to Stjepan, e-mail to Stjepan and Gregor		
.5		
download and translate documents from client		150.00
2.	75.00/hr	
receive further e-mails with proofs of service, save		400.00
.1	400.00/hr	
Translate proofs from DVA FOKUS, save		
.3		
Organize digital copies of pages into full proofs, save		
.3		
E-mail from Papes re invoices for services; Locate information re wire transfers to date, wire funds for invoices for services, e-mail to clients summarizing payments		
.3		
3/13/2019 [REDACTED]		40.00
	400.00/hr	
Working on identifying documents from client		112.50
1.5	75.00/hr	
[REDACTED]		40.00
	400.00/hr	





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	<u>Rate</u>	<u>Amount</u>
3/14/2019 Gather documents regarding service on ISM Vuzem USA, Inc and Vuzem USA, Inc., scanned, saved to server and prepared for filing .5 Organize filing .2	75.00/hr	52.50
locate and save prior filed Proofs of Service, print and save, add to service list .1 (partially charged) organize POS to file for Vuzem entities .2	400.00/hr	120.00
3/18/2019 Translating documents from client 4.0	75.00/hr	300.00
	400.00/hr	200.00
3/19/2019 Translating documents from client, email to danjil 2.0	75.00/hr	150.00
organize to prepare to e-file multiple proofs of service, and discuss same with staff .3 (partially charged)	400.00/hr	120.00
3/21/2019 receive e-notice of, download, save Order .1 Review Order on motions to dismiss, analyze ruling and analysis by Judge Koh 2. memo re reconsideration, certification for appeal, and research same, memos to file; begin shell of motion for reconsideration and ex parte application 1.2 begin draft of text of motion for reconsideration as to issues decided adversely to clients with reference to record 2.0 E-mail to clients .1 E-mail to Skip Walker .1 	400.00/hr	3,080.00
Research service in Slovenia, and Slovenian statutes including for effective service; save statutes 1.4 E-mail to Odvetnik Divjak re effective service .2 Call with and e-mail to Danijel Travancic re translations of proofs of service .2 Call with Danijel re inquiries by Stjepan and Gregor and Order on motions to		

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	<u>Rate</u>	<u>Amount</u>
dismiss .2		
3/21/2019 receive Order on motions to dismiss, save, review .2	400.00/hr	2,200.00
Prepare detailed e-mail to clients re Order, and differences between allegations and what is stated in the Order, potential remedies 1.2		
E-mail to Walker .1		
		
Research statutes under Slovenian law re law and procedure; visas, reciprocity; locate English and Slovenian versions, review same 3.5		
Prepare letter for e-mail to Odvetnik Divjak; e-mail to Divjak .2		
Discuss need for bi-lingual Danijel to review translations .1		
3/22/2019 e-mail from Odvetnik Divjak, locate Slovenian Code of Civil Procedure, read applicable portions in English and Slovenian, save texts of statutes, e-mail to Divjak .4	400.00/hr	1,000.00
Skim review booklet of original proofs of service; Text to Danijel .1		
		
e-mail from and to Peter Koenig .2		
Add to draft text of motion .5		
Scan, organize and digitally name all person and all post proofs of service from Odvitnik Divjak .7		
E-mail to Danijel .1		
e-mail from Divjak .1	400.00/hr	920.00
Receive mailed copies of proofs of service, direct scan of each .2		
Call with Galin re reconsideration and appeal of issues on ruling re RICO, memo to file .2		
E-mails from and to Walker based on courts Order .2		
Review and organize scanned proofs into complete individual proofs of service in person, and by post, for each defendant 1.0		

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	<u>Rate</u>	<u>Amount</u>
Call to, e-mail to, and conference with Danijel Travancic re translations .6		
3/23/2019 evaluate response based on current case status .5	400.00/hr	200.00
3/24/2019 prepare to do list for motion .5	400.00/hr	200.00
review local rules, review FRCP, locate similar case and court motions for reconsideration 1.5	400.00/hr	1,400.00
Prepare draft administrative motion for leave to file motion for reconsideration 1.0		
Prepare draft motion for reconsideration cribbing from prior analysis 1.0		
3/25/2019 Translating documents 2.0	75.00/hr	150.00
e-mails from and to Gregor and Stjepan re Order on motion to dismiss .2	400.00/hr	2,120.00
E-mail from and to Process Net re service .1		
Prepare draft Administrative Motion by Plaintiffs and Relators for Leave to File Motion for Reconsideration re Motion to Dismiss, research local rules, revise based on draft Motion for Reconsideration 1.0		
Research local rules, FRCP 59, FRCP 60, Ninth Circuit analysis, Prepare draft motion for reconsideration; prepare draft inserts for applicable facts 4.0		
prepare insert re allegations of 3AC about who employer is and affect on statutory liability under California law for employers .5	400.00/hr	400.00
add to draft administrative motion for leave to file motion for reconsideration, and draft motion for reconsideration .5		
3/26/2019 Translating documents 3.0	75.00/hr	225.00
research motions for reconsideration, [REDACTED] add to draft motion for reconsideration .6	400.00/hr	400.00
discuss with staff translations of proofs of service and supporting statements; discuss completing to e-file proofs of service .2		
Review e-mail from attorney Divjak; Review and save all and portions of Slovenian Code of Civil Procedure and translation; assist to save for filing .2		



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	<u>Rate</u>	<u>Amount</u>
3/28/2019 Receive and review letter to Danijel, Gregor and Bill		40.00
	400.00/hr	
discuss preparing proofs of service		240.00
.1 (partially charged)	400.00/hr	
Prepare detailed to do memo for completing and filing proofs of service, discussion with staff; assist with initial e-filings		
.5		
E-mail from Bernay re extension of time, e-mail to Bernay re discovery		
.1		
discuss and assist with translations of proofs of services		360.00
.3	400.00/hr	
Memo re documents to organize and to save, and then to organize each for proofs of service		
.3		
Review proofs prior to e-filing		
.1		
Review proofs as compared to checklist		
.1		
E-mail from and to Bernay re request for extension of time to file responsive pleading and regarding discovery		
.1		
3/29/2019 review e-filed proofs of service		80.00
.1	400.00/hr	
		
discuss with and assist with download, save and print all filed proofs of service including all attachments; review same		80.00
.2	400.00/hr	
3/30/2019 e-mails with counsel for Eisenmann re extension of time to file Answer		40.00
.1	400.00/hr	
e-mails from and to Bernay re extensions of time		40.00
.1	400.00/hr	
3/31/2019 assembled filed docs and filed		15.00
.2	75.00/hr	
4/1/2019 e-mails with counsel, receive, download, review, execute, scan and return stipulation to extend time		120.00
.3	400.00/hr	
e-mails with counsel, approve stipulation re extensions of time, review e-filed applications		40.00
.1	400.00/hr	

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		<u>Rate</u>	<u>Amount</u>
4/2/2019	receive and save Order denying stipulation to extend time to answer complaint, e-mail from Bernay .2	400.00/hr	80.00
	receive Order denying stipulation to extend time .1	400.00/hr	40.00
4/3/2019	e-mail to attorney Bernay .1	400.00/hr	40.00
	e-mails with attorney Bernay; approve revised stipulation stating reasons for request for extension, receive filed revised stipulation, receive Order granting revised stipulation .3	400.00/hr	120.00
4/6/2019	evaluate administrative motion to serve Magna, doo by alternative means if service is not considered sufficient .2 prepare for conference with defense counsel re discovery .5	400.00/hr	280.00
4/8/2019	[REDACTED]	400.00/hr	40.00
	e-mails to and from, prepare for conference with, and conference call with defense counsel re status, discovery, disclosure, defaults and anticipated motions to reconsider and to vacate defaults, memo to file 1.0	400.00/hr	400.00
	prepare for teleconference .5 E-mails with defense counsel about rescheduling .1 Conference call re discovery and CMC 1.0	400.00/hr	640.00
4/10/2019	[REDACTED]	75.00/hr	22.50
	calls from opposing counsel, memos to file .2 Update service spreadsheet 1.0	75.00/hr	157.50
	[REDACTED]	400.00/hr	2,640.00
	E-mail to clients .1 discuss with staff filing all US ex Rel Lesnik Pleadings .1		

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	<u>Rate</u>	<u>Amount</u>
Prepare revised draft POS by mail for discovery		
.1		
Organize exhibits for motion for reconsideration, including for Request for Judicial Notice		
1.4		
Prepare request for judicial notice		
.5		
Call with Alex Holtzman re filing Joint CMC Statement		
.1		
Complete administrative motion for leave to file motion for reconsideration		
1.5		
Prepare proposed Orders on motion for leave to file motion for reconsideration, save		
.3		
Revise motion for reconsideration		
.2		
Review and revise Joint CMC Statement, e-mails with counsel, approve to file		
1.0		
Revise and complete to file Administrative Motion, proposed Motion for Reconsideration, proposed Request for Judicial Notice, proposed Order		
1.0		
4/11/2019 Receive confirmation of e-filing, save, print		480.00
.1	400.00/hr	
E-mail to clients		
.1		
E-mail to Walker		
.1		
[REDACTED]		
E-mail to Kealey		
.1		
[REDACTED]		
Receive Order denying administrative motion for leave to file motion for reconsideration		
.1		
E-mail to Walker		
.1		
[REDACTED]		
4/15/2019 [REDACTED]		160.00
Receive Eisenmann Answer to Complaint, save, review including admissions of labor subcontractors that it had contracts with	400.00/hr	
.3		

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	<u>Rate</u>	<u>Amount</u>
4/16/2019 Call from Russ Hanlon, memo to file		37.50
.1	75.00/hr	
Assist in preparing Request to Clerk to Enter Default for Defendants		
.4		
research 9th Circuit decision that mutual release is not a bar		1,120.00
.1	400.00/hr	
Call with appellate counsel Russell Hanlon re timing of appeal in federal action		
.1		
Locate, save and partial review portions of 9th Circuit Appellate Jurisdiction publication		
.3		
Prepare sample / shell for requests for entry of default, prepare sample / shell form for declaration supporting default		
1.0		
E-mail from Koenig, prepare for and call with Peter Koenig re status and upcoming CMC, save memo		
.3		
Prepare request for entry of default for one defendant, discuss with staff information to replace for other defendants, review and revise drafts		
1.0		
4/17/2019 Assist in preparing Request to Clerk to Enter Default for remaining Defendants in Slovenia, prepared for international mailing, personally went to Post Office	75.00/hr	525.00
7.		
prepare and complete proofs of service for filing, and requests and supporting declarations for filing requests for entry of default; review before filing; compare with spreadsheet, update spreadsheet	400.00/hr	2,880.00
3.5		
prepare for CMC, meeting with Peter Koenig, attend further CMC, further discussion with Koenig		
3.0		
Download and save e-filed proofs of service, requests for entries of default, declarations in support of requests for entries of default; print		
.4		
Receive e-minutes from CMC		
.1		
Receive CMC Order, amended Order, and second amended Order; save each, review; calendaring		
.2		
Calls with and e-mail with FedArb; wire further payment		
.1 (no charge)		
4/18/2019 Filed pleadings		22.50
.3	75.00/hr	







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	<u>Rate</u>	<u>Amount</u>
4/18/2019 receive Tesla Answer including cross-claim, save, print .1 E-mail to clients and to Walker firm re status of case 1.0	400.00/hr	440.00
4/22/2019 update spreadsheet .9 Organize Service files 3.	75.00/hr	292.50
save and review e-mails of past week .1	400.00/hr	40.00
4/23/2019 Gather documents and organize file 3.	75.00/hr	7.50
direct scan of envelopes for waivers of service .1	400.00/hr	40.00
4/24/2019 Gather, copy and organize documents 4.0	75.00/hr	300.00
4/25/2019 Worked on file organization, opened new folders for service and defaults 3.0	75.00/hr	225.00
4/29/2019 Translate documents 1. File organizing .5	75.00/hr	112.50
Receive and review letter from Papes re case and enclosing medical records	400.00/hr	40.00
e-mail from Papes, memo from Papes; receive employment contract with HRID-Mont for assigned annexed former ISM Vuzem doo worker Goran Rebic, save .2 E-mails from Papes, save doctor records and reports .2 Save proofs of service and individual pages for service on Robert Vuzem .1	400.00/hr	200.00
5/1/2019 Organizing file, translate the rest of documents 1.	75.00/hr	75.00
Receive and review letter from client now translated	400.00/hr	40.00
5/6/2019 e-mail with Stjepan re prior good health, call with Stjepan Papes; e-mail from Papes with health records, download, save, review .4	400.00/hr	160.00

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	<u>Rate</u>	<u>Amount</u>
5/11/2019 e-mails from and to Judge Matz .1	400.00/hr	40.00
5/26/2019 research Ninth Circuit decisions denying motions to vacate defaults .1	400.00/hr	40.00
5/30/2019 call with Bernay re Judge Matz and potential further mediation .1 Call with Process Net re service via Hague Convention .1 E-mail with Jim Kealey re status .1	400.00/hr	120.00
5/31/2019 call with Process Net re fees for lesser prices .1 	400.00/hr	80.00
6/4/2019 	400.00/hr	80.00
6/5/2019 memo to order copy of transcript of Case Management Conference .1	400.00/hr	40.00
6/8/2019 	400.00/hr	80.00
6/9/2019 call with Stjepan Papes about status of claims and further activities and scheduling same; prepare followup e-mail 1.0	400.00/hr	400.00
6/19/2019 locate information re pi claims against Tesla, settlements of claims, inspections for Cal OSHA, injury work rates, published resignation letter re unsafe work conditions, save digital copies of information .3 E-mails with attorney Thomas Germ re claims of his client Robert Hernaus .1 Call with attorney Bernay re settlement demand and basis for demand, need for discovery information if settle with Eisenmann and Tesla, authority issues for German entities, memo to file .5	400.00/hr	360.00
7/3/2019 e-mails from and to Gregor re status of exchange only by us of settlement proposal .1	400.00/hr	40.00
7/7/2019 	400.00/hr	40.00

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		<u>Rate</u>	<u>Amount</u>
7/8/2019	[REDACTED]	400.00/hr	40.00
7/11/2019	[REDACTED]	400.00/hr	40.00
7/13/2019	[REDACTED]	400.00/hr	160.00
7/15/2019	[REDACTED]	400.00/hr	80.00
7/16/2019	[REDACTED]	75.00/hr	75.00
	[REDACTED]	400.00/hr	80.00
7/17/2019	Receive and review letter addressed to Mr. Papes from Homeland Security letter addressed to Mr. Papes from US Department of State	400.00/hr	40.00
	[REDACTED]	400.00/hr	80.00
7/18/2019	[REDACTED]	75.00/hr	37.50
	[REDACTED]	400.00/hr	280.00
7/22/2019	[REDACTED]	75.00/hr	7.50
7/23/2019	call from Steven Weisman of Lexshares .1 Message to attorney Bernay .1	400.00/hr	80.00
	call from Steven Weisman of Lexshares .2	400.00/hr	80.00

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		<u>Rate</u>	<u>Amount</u>
7/23/2019	memo to order copy of transcript of Case Management Conference .1	400.00/hr	40.00
7/24/2019	e-mail from Papes, receive Homeland Security and US Dept of State letters to Papes re redress inquiry, save .1	400.00/hr	920.00
	[REDACTED]		
	E-mail to Stjepan .1		
	E-mail to Bernay re CMC and re settlement proposal .1		
	[REDACTED]		
	Memo to insert into draft CMC Statement request to terminate stay to allow for entries of default .2		
7/25/2019	[REDACTED]		225.00
	e-mail to Koenig status of case and of settlement discussions .3	400.00/hr	320.00
	Forward e-mail with explanation to clients .1		
	E-mail from and to Papes re letter from DHS .1		
	[REDACTED]		
7/29/2019	receive notice about Eisenmann SE bankruptcy filing, conduct internet investigation, search for filed pleadings, save articles .5	400.00/hr	240.00
	Call to Teslas counsel .1		
7/30/2019	conduct further investigation re bankruptcy reorganization in Stuttgart, locate and save articles .4	400.00/hr	880.00
	Research recognizing foreign bankruptcies in US courts .1		
	Review discovery previously propounded to Eisenmann Corporation .1		
	Receive e-mail and proposed Joint CMC Statement .2		
	Research subject matter jurisdiction, save article		



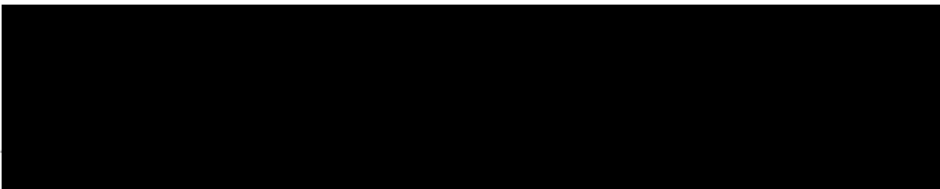

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	<u>Rate</u>	<u>Amount</u>
.1		
Locate Public Act version of TVPA of 2000, save		
.1		
Call with Ingo Brauer		
.1		
<div style="background-color: black; height: 100px; width: 100%;"></div>		
.1		
Locate Eisenmann press release re insolvency, save		
.1		
Locate additional internet articles		
.1		
Call USAG SF office, forward e-mail to Asst USAG Lo and Winslow		
.1		
review and revise Joint CMC Statement		
.2		
E-mails with counsel		
.1		
7/31/2019 review and revise Joint CMC Statement		240.00
.2	400.00/hr	
E-mails with counsel		
.1		
Download and save filed CMC Statement		
.1		
<div style="background-color: black; height: 40px; width: 100%;"></div>		
further revisions in track changes to draft Joint Case Management Conference Statement, add request to terminate stay to allow for entries of default, multiple e-mails with counsel with changes, approve final version for filing	400.00/hr	1,000.00
2.5		
8/1/2019 <div style="background-color: black; display: inline-block; width: 300px; height: 20px;"></div>		120.00
E-mail to Walker firm	400.00/hr	
.1		
Receive substitution of Michelle Lo for former AUSA Kimberly Friday		
.1		
8/2/2019 receive Order to reset hearings, save		120.00
.1	400.00/hr	
e-mail to Walker firm, forward to clients with explanation		
.1		


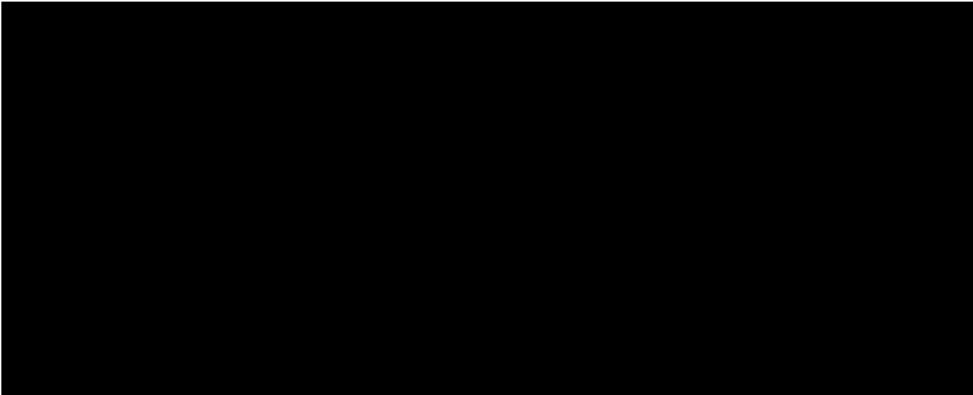
Gregor Lesnik

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		<u>Rate</u>	<u>Amount</u>
	receive Order to identify defendants, save .1		
8/5/2019	Review request for service abroad form under Hague Convention .1 Locate Chief Specialist - Judge for international service .1 Locate article re Hague Convention, review, save .2	400.00/hr	920.00
			
	Prepare list of remaining defendants .1 Prepare draft of report to identify remaining defendants 1.0		
			
	meet with Ingo Brauer .5		
	prepare for and meeting with Ingo Brauer 1.0	400.00/hr	400.00
8/7/2019	review file status, memo re FOIA; visa for Stjepan; prepare all requests to enter defaults; obtain status on service in Poland .2	400.00/hr	80.00
8/12/2019	update discovery spreadsheet .5	75.00/hr	37.50
8/13/2019	Worked on Information identifying remaining defendants 1.5	75.00/hr	112.50
8/14/2019		400.00/hr	280.00
	Research petition for review granted re service by Hague Convention and motion to set aside judgment .1		
			
	E-mails from and to Stjepan about concerns .3		
8/15/2019	research re alleged breach of confidentiality agreements .2	400.00/hr	80.00

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		<u>Rate</u>	<u>Amount</u>
8/16/2019	research service abroad, Croatian immunity, European e-Justice portal re service .6 complete to file identification of remaining defendants .2  review file re file identification of remaining defendants .1	400.00/hr	320.00   40.00
8/21/2019		400.00/hr	200.00
8/22/2019	research local news about immigration scam, locate and save indictment .1 Receive Order to serve defendants in next 13 days .1 	400.00/hr	120.00
8/26/2019		400.00/hr	160.00
8/28/2019		400.00/hr	40.00
8/29/2019		75.00/hr	7.50
8/30/2019	research re taxing costs .1 	400.00/hr	1,520.00

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		<u>Rate</u>	<u>Amount</u>
	[REDACTED]		
9/2/2019	[REDACTED]	400.00/hr	520.00
	[REDACTED]		
9/3/2019	[REDACTED]	400.00/hr	80.00
9/4/2019	[REDACTED]	75.00/hr	30.00
	[REDACTED]	400.00/hr	360.00
9/5/2019	[REDACTED]	75.00/hr	30.00
	[REDACTED]	400.00/hr	280.00
	[REDACTED]		
	[REDACTED]		



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		<u>Rate</u>	<u>Amount</u>
	[REDACTED]		
9/5/2019	review status of filing known proofs of service of unserved defendants per Order of 8/22/2019 .1	400.00/hr	40.00
9/10/2019	[REDACTED]	400.00/hr	40.00
	[REDACTED]	400.00/hr	80.00
9/18/2019	call with Jim Kealey .3	400.00/hr	120.00
	[REDACTED]		40.00
9/20/2019	[REDACTED]	400.00/hr	400.00
9/22/2019	[REDACTED]	400.00/hr	200.00
9/23/2019	[REDACTED]	400.00/hr	200.00
	[REDACTED]		
	[REDACTED]	400.00/hr	40.00
9/24/2019	[REDACTED]	75.00/hr	45.00
9/30/2019	[REDACTED]	75.00/hr	7.50

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	<u>Rate</u>	<u>Amount</u>
9/30/2019 e-mails and calls with CSR Shortridge, letter to Lee-Anne Shortridge .2 [REDACTED] E-mail from Papes re jobs for companies in US through Gregurec Ltd, identification of workers and companies, e-mail to Papes .1	400.00/hr	160.00
10/20/2019 e-mail to clients re upcoming CMC and anticipated Order to set scheduling for all events .3 E-mail from and to Danijel .1 E-mail to Koenig of Walker firm about status and litigation plan going forward .4	400.00/hr	320.00
10/21/2019 calls with clients, e-mail with clients, to discuss plan in light of developments and authority for trial, litigation and settlement .5 Call with Aaron Bernay re German entities, status .1 E-mail to Peter Koenig .1	400.00/hr	280.00
10/22/2019 Prepare attachment for 1.0	75.00/hr	75.00
call to Aaron Bernay .1 E-mails with counsel about revisions to Joint CMC Statement .1 E-mails from and to Stjepan to clarify requests for authority .1	400.00/hr	120.00
10/23/2019 Gather all Proofs of Service, Request for Default, Notice of Entries, and create spreadsheet 3.5	75.00/hr	262.50
complete approval for updated Joint Case Management Statement .2 Receive filed CMC Statement .1 Forward to clients .1 E-mails re related entities; save memo; save news articles; translate, evaluate as applied to claims against all entities as related and conspiring .3	400.00/hr	280.00
10/24/2019 call with Peter Koenig .2	400.00/hr	80.00

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		<u>Rate</u>	<u>Amount</u>
10/28/2019	Prepared complete list of all defendants who have been served 3.	400.00/hr	1,200.00
	[REDACTED]	400.00/hr	440.00
	E-mail from Papes concurrence with litigation plan .1		
10/29/2019	Update service spreadsheet. Gather pleadings re ISM Vusem USA, Vuzem USA [REDACTED] prepared draft Request for Default and Declarations for all 6.0	75.00/hr	450.00
	review and update with staff drafts for entry of default against [REDACTED] Vuzem USA, and ISM Vuzem USA, Inc. .4	400.00/hr	160.00
10/30/2019	Worked on finalizing Default pleadings 1.0 Organize pleadings and files 1.0	75.00/hr	150.00
	review and update with staff drafts of declarations supporting defaults against [REDACTED] /uzem USA, Inc. and ISM Vuzem USA, Inc. .4	400.00/hr	1,280.00
	prepare for and attend further CMC 2.5 Calendar all dates set by Judge Koh .2 E-mail from and to attorney Wrebel .1		
10/31/2019	Receive and review letter from Jill Eggleston, Director of FOIA Operations re request for criminal allegations against Sistemas Globales SA	400.00/hr	40.00
	Calendared all up coming court hearings to 2021, scheduled but not heard, due dates for pleading responses, organized documents, pleadings, attorney notes, correspondence 3.	75.00/hr	232.50
	[REDACTED]		
	receive and save CMC Order .1 Receive notice of appearance by new defense counsel .1 Receive transcript order .1 evaluate last day to file Dismissals; calendar	400.00/hr	480.00

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	<u>Rate</u>	<u>Amount</u>
.1 [REDACTED]		
Call to Ingo Brauer		
.1 (no charge)		
e-mails to clients about status		
.1 [REDACTED]		
Locate and scan return receipts of mailing disclosures to USAG offices		
.1		
E-mail to Wrebel		
.1		
11/1/2019 download, save and review Eisenmann entities motion to quash, including exhibits	400.00/hr	1,160.00
.5		
Locate, save and review Brockmeyer, Chung, Cosper and Falcov decisions, prepare memos re each		
.9		
Begin draft opposition		
.4		
E-mail to Koenig re status		
.2		
E-mail to clients		
.1		
E-mail from and to Judge DeMarchi and counsel; calendar		
.1 [REDACTED]		
E-mail from defense counsel to Judge DeMarchi		
.1		
Receive conference call notice; update calendar		
.1		
Review e-mail from Stjepan, translate, e-mail to Stjepan		
.2		
11/4/2019 Worked on Request for entry of Default and declaration attachments with exhibits, efiled all, filed pleadings with copies in defendant folders	75.00/hr	375.00
5.0		
complete to file requests to enter default		
2.0	400.00/hr	1,600.00
e-mail from Stjepan about companies in US		

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	<u>Rate</u>	<u>Amount</u>
.1 save screen shots, review, check social media posts		
.1 Review all ECF filings of requests for dismissals, list in order filed, save text of dismissals, complete memo		
1.0 Prepare and complete to file list of all defendants who have been served including Tesla and Eisenmann Entities		
.5 confirm e-filing of Requests to Enter Defaults		
.1 Locate and scan business cards from 2016 interview by USAGs office		
.1 E-mail to Koenig		
.1		
11/8/2019 receive, download and save all entered defaults; print, update service list		80.00
.2	400.00/hr	
11/12/2019 e-mail from Judge DeMarchis chambers, update calendar		160.00
.1	400.00/hr	
Prepare outline of argument on motions to quash		
.3		
11/13/2019 research cited decisions		1,200.00
.3	400.00/hr	
Prepare draft MPA in opposition to motions to quash		
2.5		
E-mail to ECCHR re Stuttgart District Court filings		
.1		
E-mail to Linda Chiem		
.1		
11/14/2019 US ex rel Lesnik: added footer to exhibits, and combined exhibits w WCD Decl in Oppo to Defts Renewed Mtn to Quash		18.75
time: .25	75.00/hr	
Open account with Superior Court, County of Los Angeles for court records, search for pleadings re Eisenmann Corp, print out all pleadings		30.00
	75.00/hr	
Locate and save Eisenmann Corporation entity lawsuit information and pleadings as patent lawsuit plaintiff, as Relator, as plaintiff including declarations by Mark West		3,360.00
	400.00/hr	
1.5		
Prepare inserts for MPA		
.4		
Add substantially to Declaration		
2.0		
Organize exhibits for attachment to declaration		
.5		
Make multiple revisions to and proof MPA and Declaration, complete to e-file MPA and Declaration in opposition to renewed motion by Eisenmann entities		

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	<u>Rate</u>	<u>Amount</u>
to quash service 4.0		
11/15/2019 download, save and print e-filed opposition .1 Save case information from Eisenmann case filed in Los Angeles County .1	400.00/hr	80.00
11/17/2019 review discovery, evaluate timing of responses due, review CMC Order; compare prior served copies of discovery to issues in case; prepare draft attachment to subpoenas to Tesla and to Eisenmann, begin draft letter to counsel, contact subpoena service 2.0	400.00/hr	800.00
11/18/2019 subpoenas .2	75.00/hr	15.00
complete letter and prepare e-mail of letter to counsel re discovery and pleadings .2 Complete subpoenas for business records to Eisenmann Corp and to Tesla .7	400.00/hr	360.00
11/19/2019 Receive and review completed subpoenas from Titan	400.00/hr	40.00
calls with subpoena services, complete order form for subpoenas, attach subpoena information, fax and e-mail, scan copies .4 E-mail to Koenig .1 Prepare for and attend telephone call with Magistrate Judge Virginia K DeMarch and all counsel re settlement conference; memo to file; calendar 1.0 Review Eisenmann Cross-claim, review notes from client, review affirmative defenses, Prepare Gregor Lesnik Answer to Eisenmann Corporation counter-claim 2.0 Review Tesla Counter-claim, prepare Answer to Tesla counter-claim 2.0	400.00/hr	2,200.00
11/20/2019 save e-filed Answers .1 Receive e-notice setting settlement conference .1 E-mail to clients .2 E-mails and call with Stjepan about remotely attending settlement conference .1	400.00/hr	200.00

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	<u>Rate</u>	<u>Amount</u>
11/22/2019 e-mails with Stjepan, save attachments .2 E-mail from and to Foran about service, stay, and due date for discovery responses .2	400.00/hr	160.00
11/23/2019 prepare second service of requests to produce, prepare requests to produce to Eisenmann SE, prepare requests to produce to Eisenmann Corporation as revised, prepare Second Set of requests to produce to Eisenmann Corporation, prepare proofs of service 3.5 Prepare A/R statement of costs, scan .3 (no charge)	400.00/hr	1,400.00
11/25/2019 Receive and review subpoenas regarding Eisenmann Corp and Telsa, Inc. from Titan Legal Services	400.00/hr	40.00
11/26/2019 e-mail from and to attorneys Bernay and Ta for Eisenmann, attach subpoenas .1	400.00/hr	40.00
11/29/2019 Receive and review letter from California Secretary of State	400.00/hr	40.00
attempted e-mail to Emily Rand, search for current status of work and location .1	400.00/hr	40.00
12/3/2019 e-mail to client re costs and settlement issues .2 (no charge) e-mails with Stjepan, Danijel and Gregor .2	400.00/hr	80.00
12/6/2019 Receive and review Teslas Objections and Responses to Subpoena to Produce Documents Information or Objects	400.00/hr	40.00
12/9/2019 Scanned Teslas Objections and Responses to Subpoena to Produce Documents Information or Objects, made searchable and saved to server .1	75.00/hr	7.50
review calendar re l/d for Tesla, and l/d for Eisenmann Corp, to respond to subpoenas for production by custodians of records .1	400.00/hr	40.00
12/10/2019 Receive and review Eisenmann Corp s Objections to November 21, 2019 Subpoena to Produce Documents, Information, or Objects	400.00/hr	40.00
12/12/2019 receive, scan, and make OCR searchable, Eisenmann objections to subpoena; review same .2	400.00/hr	80.00

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	<u>Rate</u>	<u>Amount</u>
12/13/2019 e-mails with Stjepan about laptop and appearance at STC .1	400.00/hr	40.00
12/16/2019 Receive and review Eisenmann's First set of Interrogatories, Request for Production, and Request for Admission to Plaintiff Gregory Lesnik Eisenmann's First set of Interrogatories and Request for Production to Stjepan Papes	400.00/hr	40.00
12/18/2019 Identify and gather all Medical records, save to server, prepared for Doctors review 5.0	75.00/hr	375.00
locate, sort and organize Gregors radiographic evidence for fractures .2	400.00/hr	80.00
12/19/2019 Scanned Eisenmann's First set of Interrogatories, Request for Production, and Request for Admission to Plaintiff Gregory Lesnik and Eisenmann's First set of Interrogatories and Request for Production to Stjepan Papes, made searchable and saved to server .1	75.00/hr	7.50
Call from Bernay, memo to file .1	75.00/hr	307.50
Complete task of gathering Medical records and organize for doctor review 4.		
skim review, scan and make OCR searchable discovery requests to Lesnik and to Papes .2	400.00/hr	80.00
12/20/2019 Call with Bernay re settlement, status, discovery production by Eisenmann; memo to file .4	400.00/hr	200.00
E-mail to clients .1		
12/22/2019 e-mail from Bernay, and prepare detailed reply e-mail to Bernay about request to continue to delay discovery responses and production including review of discovery history .8	400.00/hr	400.00
E-mail from Bernay confirming settlement offer .1		
E-mail to Bernay re information specific to remaining claims .1		
12/26/2019 e-mail from Foran for Tesla, locate, scan, and save discovery propounded in May of 2018; e-mail to Foran, e-mail from Foran, e-mail to Foran .3	400.00/hr	120.00
12/27/2019 order transcript .1	400.00/hr	40.00



Gregor Lesnik

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	<u>Rate</u>	<u>Amount</u>
1/2/2020 multiple e-mails and calls with clients re settlement .5	400.00/hr	280.00
Prepare e-mail to Bernay to respond to settlement offer .1		
E-mail from attorney Holtzman for deposition of Lesnik .1		
1/3/2020 confirm flight details for Gregor Lesnik .1	400.00/hr	40.00
1/6/2020 Receive and review Eisenmanns Deposition Notice of Lesnik	400.00/hr	40.00
e-mail from Judge DeMarchis chambers, calendar .1	400.00/hr	40.00
1/7/2020 attend teleconference with defense counsel about settlement, negotiations, basis of claims, stipulation for confidentiality, discovery productions, deposition notice sent for date that WCD is not available and that was told to attorney Bernay was not available; memo to file; review Guidelines for Professional Conduct re discovery and scheduling 1.0	400.00/hr	400.00
1/8/2020 Served Response to Notice of Deposition of Lesnik, .1	75.00/hr	7.50
save pdf of Notice of Deposition, save OCR, prepare response to notice of deposition of Lesnik, prepare proof of service, save to pdf, e-mail to counsel 1.0	400.00/hr	440.00
E-mails from and to defense counsel re confidentiality of mediation .1		
1/9/2020 Downloaded Eisenmann and Teslas Objections to Subpoena to Produce, made searchable and saved to server .2	75.00/hr	90.00
Prepared shell for motion 1		
review pdf of Eisenmann objections to subpoena, review pdf of Tesla objections to subpoena; direct organization of requests and responses .2	400.00/hr	2,680.00
Research proportionality, research enforcing subpoenas .3		
Memo re text of subpoena to Eisenmann .1		
Memo re documents identified in Third Amended Complaint and relationship to scope of things requested .3		
Prepare detailed meet and confer e-mail to Foran .5		
Prepare detailed meet and confer e-mail to Bernay .5		

Gregor Lesnik

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	<u>Rate</u>	<u>Amount</u>
Receive, save and review RT of CMC .2		
E-mail of yesterday from defendants' counsel first proposed draft of protective order; download, save, review; memo re changes in proposed order .8		
prepare revised proposed stip and order, E-mail to counsel regarding not stating what they changed from model order and attaching revision .5		
E-mails from Bernay re discovery, timing .1		
E-mails from Bernay on behalf of defendants re settlement conference issues, discovery and deposition .1		
Review Judge DeMarchi order, review Standing Order re Settlement Conference; prepare draft STC Statement, prepare inserts to STC Statement, complete STC Statement; prepare draft POS of lodging, prepare draft confidential letter to Judge DeMarchi for settlement conference 3.0		
E-mail to clients .1		
1/10/2020 e-mail to Judge DeMarchi individual issues statement .1	400.00/hr	200.00
E-mail to Judge DeMarchi and counsel all counsel statement .1		
Forward to clients .1		
Lengthy e-mail from attorney Foran objecting to all discovery and all facts for any production .2		
1/13/2020 Prepared Shells for Responses to Eisenmanns Interrogatories, Request to Produce and Requests for Admissions for Stjepan and Gregor 1.0	75.00/hr	7.50
locate Gregor billing records for medicals; locate former Tesla VP marketing posts; locate former Eisenmann Project Manager LinkedIn posts; prepare Gregor responses due to Eisenmann Corporation interrogatories, requests to produce, and requests to admit 3.0	400.00/hr	2,160.00
Locate, translate, and review Stjepan medical records and health care providers; review client memo re entries to work places and dates of employment at sites; prepare Stjepan responses due to Eisenmann Corporation interrogatories and requests to produce 2.0		
Prepare proofs of service .1		
E-mails to client Papes .1		
Complete to serve discovery responses .2		

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	<u>Rate</u>	<u>Amount</u>
1/14/2020 Receive and review Eisenmanns Settlement Conference Statement	400.00/hr	40.00
receive and save Eisenmann and Tesla STC Statement		440.00
.1	400.00/hr	
Prepare for and attend pre-settlement conference call scheduled with Judge Virginia K. DeMarchi; memo to file		
1.0		
1/15/2020 call with Stjepan		520.00
.1	400.00/hr	
skype with Stjepan		
.2		
meeting with Gregor		
1.0		
1/16/2020 Translate medical record		7.50
1.0	75.00/hr	
Assist with document location, filing and prep for settlement conference		131.25
1.75	75.00/hr	
call with Jackson for IT at court		1,000.00
.1	400.00/hr	
call with Judge DeMarchi		
.5		
call with Stjepan		
.1		
call with Danijel		
.1		
conference with Gregor and Danijel		
.7		
Call with court clerks re entries of default; e-mail to courtroom / docket clerks Miyashiro and Dibble		
.1		
Receive and save entries of default on [REDACTED] HRID-Mont, d.o.o., ISM Vuzem, d.o.o., Rober Vuzem, Ivan Vuzem, [REDACTED]		
.2		
Receive from Stjepan medical records, save		
.1		
Translate cardiologist report		
.1		
Direct and assist in organizing in chron order all received Stjepan medical records		
.1		
E-mail to clients re conflicts		
.3 (no charge)		
e-mail to defense counsel re confidentiality stipulation		
.1		
Review court docket and compare to known filings		
.1		
E-mail to and from Bernay objecting to production absent protective order		

Gregor Lesnik

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		<u>Rate</u>	<u>Amount</u>
	and stipulation .1 E-mail from Holtzman of redline draft of proposed stip for protective order .1		
1/17/2020	Received and review Defendant Eisenmann Corp's Responses and Objections to First Set of Interrogatories and Request to Produce; and Specially-Appearing Defendant Eisenmann SE's Responses And Objections To Plaintiffs Gregor Lesnik And Stjepan Papes's First Set Of Requests To Produce	400.00/hr	40.00
	pick up Gregor, discussion with Gregor .5 Attend Settlement Conference before Magistrate Judge Virginia K. DeMarchi; including multiple e-mails during conference, conference with clients 10.0 Conference with Gregor, conference with Danijel .2	400.00/hr	4,280.00
1/18/2020	receive and save Material Term Sheet .1	400.00/hr	40.00
1/19/2020	make Term Sheet OCR searchable, Save to word, translate to Slovenian .3 e-mail to clients re meaning and effect of settlement, further activities .2	400.00/hr	200.00
1/20/2020	Working on information to go with the Declarations of William Dresser, Gregor Lesnik and Stjepan Papes 6.	75.00/hr	450.00
	save, make search, and review Eisenmann SE responses to request to produce .1 Same for Eisenmann Corporation responses .1 Prepare shell / draft for WCD declaration in support of motions for default; for Papes, for Lesnik .3 Locate photos of Gregor at hospital .1 Direct staff to locate, save and make searchable articles for insert into draft declarations .3	400.00/hr	360.00
1/21/2020	Worked on adding text to drafts of Request for Judicial Notice, and declarations in support of application for entries of default 2.0	400.00/hr	800.00

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	<u>Rate</u>	<u>Amount</u>
1/21/2020 review draft of inserts for Lesnik declaration .1 (partially charged) e-mails with Stjepan about entries of default .1	400.00/hr	80.00
1/22/2020 Worked on declarations 6.0	75.00/hr	450.00
e-mails with Bernay about limiting scope of disclosure of produced information .2	400.00/hr	680.00
meeting with Gregor and Danijel to prepare draft declaration 1.5		
1/23/2020 Review and organize file 1.0	75.00/hr	75.00
review and discuss inserts for Gregor declaration .2	400.00/hr	160.00
E-mails to counsel about settlement agreement .1		
E-mails to and from counsel re Joint STC Statement .1		
Prepare W-9, e-mail to counsel .1 (no charge)		
1/27/2020 Worked on pleadings for default judgment 4.	75.00/hr	300.00
1/28/2020 Identify and translate documents for Defaults 6.	75.00/hr	450.00
e-mails with consulting counsel at Schun & Elseven re Stuttgart court records .1	400.00/hr	40.00
1/29/2020 worked on defaults 4	75.00/hr	300.00
direct scan, saving, OCR and translation of contract terms .2	400.00/hr	2,440.00
E-mails to counsel about not receiving settlement agreement, prepare proposed agreement 1.0		
E-mail from Bernay .1		
E-mails with counsel re protective order 1		
[REDACTED]		
memo re calls to witnesses for supporting evidence on motions for entry of default .2		
[REDACTED]		

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		<u>Rate</u>	<u>Amount</u>
	<div> <div></div> <div>attempted calls to CBSN, e-mail to Vladimir Duthiers</div> <div>.1</div> <div></div> <div>e-mails with Schun &amp; Elseven</div> <div>.1</div> <div>Add to draft declaration of Lesnik</div> <div>.5</div> <div>Review notes and e-mails from Papes, prior declaration, allegations of complaint as to Papes, Prepare detailed outline of and draft of declaration of Papes</div> <div>3.5</div> <div>E-mails to clients</div> <div>.1</div> </div>		
1/30/2020	Gather documents relating to default motions, and prepare for exhibits		375.00
	5.	75.00/hr	
1/31/2020	<div> <div></div> <div>Receive e-mail from Bernay attaching proposed draft protective order; review, print, sign, scan, and return</div> <div>.2</div> <div>Call with Alex Holtzman re stip and approvals for filing; send and receive confirming e-mails</div> <div>.2</div> <div>e-mail to Holtzman</div> <div>.1</div> </div>	400.00/hr	200.00
2/1/2020	save e-mails of past month with defense counsel		80.00
	.2 (partially charged)	400.00/hr	
2/3/2020	Worked on Defaults		300.00
	4.	75.00/hr	
	receive Order on Stipulation of Protective Order; save, print		120.00
	.1	400.00/hr	
	E-mail to counsel about production		
	.1		
	E-mail from and to Bernay about intended production by Eisenmann		
	.1		
2/4/2020	Worked on Defaults		375.00
	5.	75.00/hr	
	<div> <div></div> <div>call with Titan about status of subpoenas, save served subpoenas</div> <div>.1</div> <div>Receive, save in pdf, and redact attorney client communication of October</div> </div>	400.00/hr	1,400.00

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	<u>Rate</u>	<u>Amount</u>
--	-------------	---------------

19, 2016 e-mail by Robert Vuzem

.1

Direct machine translation of and review and revise translation of Robert Vuzem e-mail to supervisors to not disclose time sheets

.1

Convert to pdf, save e-mail with translation as proposed exhibit

.1

Review and revise draft declaration of Papes in support of motion for judgments

1.0

E-mail from Bernay with link for production

.1

Receive, download, and save to format to view Eisenmann production; save pdf of visas and welcome letters

.4

Prepare snip screen of folders and files of Eisenmann production

.1

E-mails with Schlun &amp; Elseven

.1

2/5/2020 Worked on exhibits for Papes declaration, translated documents and put in pleading form

5.

75.00/hr

375.00

review Schlun &amp; Elseven e-mails

.1

Call to bank, Wire to account of Schlun &amp; Elseven; receive wire confirmation .2 (no charge)

e-mail to Schlun &amp; Elseven

.1

Direct additions to draft Papes declaration

.2

E-mails with Bernay, review prior e-mails, save e-mail from Holtzman

.1

Download, save, print and review Eisenmann responses to interrogatories and requests to produce with verification and proof of service but no production

.3

E-mail to Foran regarding production date by Tesla

.1

400.00/hr

400.00

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	<u>Rate</u>	<u>Amount</u>
E-mail from attorney Foran, calendar production due date .1		
2/6/2020 Translating documents for exhibits and added to declarations supporting defaults 6.	75.00/hr	450.00
[REDACTED]	400.00/hr	40.00
e-mails with Schlun & Elseven .1	400.00/hr	1,160.00
[REDACTED]		
locate Papes statements in Slovenian, direct machine translations, memo and additions to draft declaration .3		
Review and revise Papes declaration .2		
Locate exhibits for Papes declaration, begin to segregate by categories of exhibits for Papes declaration .5		
Add to Papes declaration, save as v-2, save to pdf 2.0		
E-mail to Papes, Lesnik and Travancic .1		
[REDACTED]		
E-mails to counsel about status of settlement agreement .1		
2/7/2020 phone call with Thomas Bichat of SE Legal, in Germany, re copies of court filed pleadings and other documents in the file of the Eisenmann SE petition for insolvency and reorganization at Stuttgart District Court .4	400.00/hr	1,200.00
E-mail to attorney Thomas Bichat of Schlun & Elseven .1		
E-mails with counsel, review and revise draft Joint settlement status report .3		
Receive e-mail from counsel, receive and save proposed settlement agreement .1		
Review proposed agreement, prepare reply e-mail to counsel .2		
Research taxation issues, save articles; memo to file .2		
E-mail to clients re settlement agreement and W-8BEN form .1		
E-mail to counsel re withholding tax and payee .1		
Discuss with staff organization of Papes medical records, direct saving to pdf		



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	<u>Rate</u>	<u>Amount</u>
and creating group pdf with bookmarks .2		
Research re non-disparagement agreements, save article .2		
Call with Ethics Hotline, memo to file .1		
Prepare draft memo to opposing counsel detailing concerns and issues with settlement agreement .5		
E-mail to clients re status of formal long form settlement agreement .1		
Review and revise draft memo, and E-mail to defense counsel .1		
Call with Stjepan, e-mail re opinion of causation, and re revising declaration with additional information re wages .2		
E-mails to and from Bernay about draft settlement agreement, and re notification to AUSA Michelle Lo .1		
[REDACTED]		
2/7/2020 phone call with Thomas Bichat of SE Legal, in Germany duplicate entry .1	400.00/hr	40.00
2/8/2020 multiple e-mails with Stjepan about medical issues and medical records, hours worked, translations .2	400.00/hr	80.00
2/9/2020 locate, save to pdf, review, and make searchable Material Term Sheet .2	400.00/hr	120.00
[REDACTED]		
2/10/2020 worked on defaults 5.	75.00/hr	382.50
[REDACTED]		
e-mail from Stjepan explaining how compensation paid .1	400.00/hr	360.00
Locate Papes pay records, review, sort and save .2		
Call with Papes, memo to file .2		
Direct organization and saving of medical records by date and description .1 (partially charged)		
[REDACTED]		
e-mail from Papes of doctor names .1		

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	<u>Rate</u>	<u>Amount</u>
E-mails (4) from Papes re locations, dates, and hours of work in US for Papes; save attachments; review Slovenian and translations .2		
2/11/2020 Translate documents and worked on revision of Papes declaration, locate and identify documents for exhibits 6.0	75.00/hr	450.00
e-mails of yesterday from Foran, locate both link and password, attempt download, save .3	400.00/hr	1,440.00
Attempt to open attachments from download of Tesla production, including internet search, use of multiple programs, and calls with IT consultants, multiple e-mails to and from attorney Foran re opening and saving enclosed tif files 1.0		
Save Tesla production .1		
Review select documents, review totality of production, evaluate analysis of same .2		
Review Papes revisions and inserts and revisions to draft Papes declaration .2		
		
E-mail from court of OSC to identify default defendants; search prior e-mails, locate prior notice, calendar due date based on OSC .1 (partially charged)		
e-mail from Papes with attachment of statement from ISM Vuzem worker .1		
E-mail from Papes with attachment and link to Vuzem ownership .1		
Locate and save exhibits for Papes declaration re dates of employment, date of termination, certificate of taxes due, date of start of employment, contracts with Vuzem, and other employment documents .4		
Locate and save exhibits re Vuzem and HRID financials and ownership .2		
Receive and save Eisenmann third production from link; declarations of custody .2		
Call with Bernay, locate production of list of workers by name with street addresses; save list .1		
E-mail to clients re productions, attach stipulated protective order .1		
2/12/2020 Located, translated, identified and named medical and work related documents, documents and photos for exhibits 7.0	75.00/hr	525.00

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	<u>Rate</u>	<u>Amount</u>
2/12/2020 locate and save for exhibits employee pay summaries, visas, Eisenmann letters, letters by defendants to media, Vuzem calculation sheet for hours, and other documents .2 (partially charged) Discuss with staff further information for draft declaration of Papes .1 (partially charged) e-mail from counsel, review revisions in track changes proposed long form settlement agreement, e-mail to counsel re scope of disclosures .2 Call with Stjepan, e-mail to Stjepan re causation issues .3 Direct machine translation of dismissal of charges against Gregor .1 Open and review Tesla excel spreadsheet .1 E-mail to Foran for clarification of production by Tesla .1 Direct organization and saving in pdf for exhibits Papes employment and pay documents .1 Review documents received throughout litigation for exhibits including photos and describing exhibits, organize and save in subfolders for use as exhibits to declarations 1.0	400.00/hr	880.00
2/13/2020 identify docs and save for exhibits .5	75.00/hr	37.50
Call bank re routing information, save memo .1 (level 3)	45.00/hr	4.50
2/16/2020 receive and save signed agreement from Lesnik .1 E-mails from Stjepan of proposed employee Statements, download, save and review statements; prepare declaration to authenticate statements, prepare witness specific authenticating declarations, e-mail to Stjepan .4 Prepare draft of detailed letter with attachments to counsel re incomplete productions; save attachment of timesheets .4 receive and save signed agreement from Lesnik .1 Print signature page, add WCD signature, scan, save, combine signature pages, combine to settlement agreement, save .1 Multiple e-mails and calls with Papes about what is required for declarations .6	400.00/hr	880.00

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	<u>Rate</u>	<u>Amount</u>
E-mail from Palmer .1		
2/17/2020 identify docs and save for exhibits 7	75.00/hr	525.00
locate from all litigation documents for Lesnik declaration, organize into subfolders for exhibits to declaration 1.0	400.00/hr	3,640.00
Prepare W-9, E-mail to counsel agreement and W-9, noting typ0 .1		
Prepare draft motion for default judgment for coerced labor 2.5		
Prepare very initial draft declaration of WCD re defaults .5		
E-mail from Papes of further statements, save attachments, convert to pdf, combine, translate .2		
E-mail from Bernay .1		
Organize to file declaration of Nedejko Zivanic .2		
Prepare very initial draft motion for default judgment for FLSA claims .3		
Review to do memo, revise same .3		
Organize and begin to identify by exhibit number exhibits for declarations .3		
Prepare draft motion for default for FCA 3.0		
2/18/2020 Translate witness declarations, identify docs and save for exhibits 6.0	75.00/hr	450.00
review Third Amended Complaint, and inserts, direct staff to review same for assistance with declarations .3	400.00/hr	3,640.00
Machine translate proposed Maslic statement; Take draft Maslic statement and change to declaration, save in word and in pdf .6		
E-mails with Papes about form of declarations and re need for witness contact information .1		
Review Sincek statement, save, translate, review .2		
Prepare draft request for judicial notice including locate prior requests .3		
Discuss with staff translations .1 (partially charged)		
call with Martina Vandenberg		



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	<u>Rate</u>	<u>Amount</u>
.2 [REDACTED]		
E-mail from Papes, take attached proposed Rebic statement / declaration, save, machine translate, review, revise, prepare as draft declaration; call with Papes, e-mail to Papes, receive later e-mail of signed Rebic declaration		
1.0		
E-mail Lo to Bernay re dismissal without prejudice of FCA claim		
.1		
Research human trafficking litigation, save articles		
.4		
Locate and save information re David v Signal Trafficking		
2 [REDACTED]		
Add to draft WCD declaration in support of defaults to add service, notice, entries of defaults, causes of action for which judgment is sought, and start of authentication from prior litigation		
1.8 [REDACTED]		
E-mail to Vandenberg		
.1 [REDACTED]		
2/19/2020 Call with Stjephan Papes re Declaration, revised Declaration with Papes answers	400.00/hr	400.00
1.0		
Discuss Tesla production, review combined copies of security entries to Tesla; compare with Eisenmann employee lists, begin to prepare index of Tesla production by employee names	75.00/hr	337.50
1.0		
Index by bates number, letter or visa, date, signer of letter, and employee Eisenmann production		
4.5		
e-mail from Papes, save to file Maslic declaration, e-mail to Papes	400.00/hr	4,000.00
.2		
E-mail from Papes of revised Koscak declaration, review, save, e-mail to Papes		
.2		
E-mail from attorney with Vandenberg's office		
.1		
Locate 9th Circuit damages awards under trafficking causes of action, save memo		
.3		

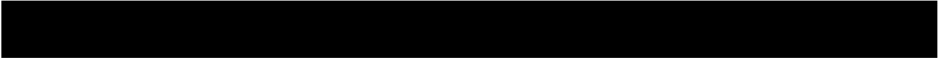
Gregor Lesnik

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	<u>Rate</u>	<u>Amount</u>
Memo to update service list for motions for entry of default judgments .1 Discuss with staff Tesla production, direct indexing of same .2 (partially charged) Discuss with staff Eisenmann production, direct indexing of same .2 (partially charged) E-mail from Papes, review translated Koscak draft declaration, change to declaration format, e-mail to Papes .4 Discuss with staff additions and revisions to Papes declaration .3 Review and revise draft declaration of Papes for client review, save to Word 1.0 E-mail to Papes .1 Review index to date of Eisenmann production of 2/3/2020 .1 Receive notice of Order Amending Schedule, download, save, print, revise calendar .1 		
E-mail from Stjepan of revisions .2 E-mail from Papes of prior e-mails re Vuzems supervisors being directed to not provide to workers information about hours worked .1 E-mail to Papes .1 E-mail from Papes re photos, review, e-mail to Papes .1 Multiple e-mails from Papes re worker information; review all .2 Review, revise and add to Papes draft declaration, e-mail to Stjepan 2.0 		
2/19/2020 Combine in acrobat Tesla productions, save, make searchable, save again separately .3 (level 3) Combine in acrobat Eisenmann productions, save, make searchable, save again separately .3 (level 3)	45.00/hr	27.00
2/20/2020 Call with Stjephan Papes re Declaration, revised Declaration with Papes answers 7.	75.00/hr	525.00


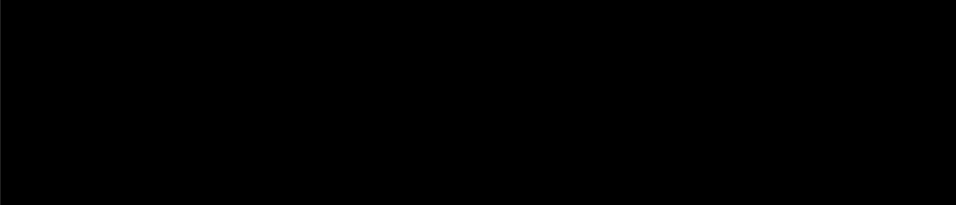
Gregor Lesnik

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	<u>Rate</u>	<u>Amount</u>
2/20/2020 complete index by bates number, letter or visa, date, signer of letter, and employee Eisenmann production 2.0	75.00/hr	300.00
Memo of workers listed on security badges for entry to Tesla, by bates numbers pages 1 to 92 for date ranges 2.0		
Combine in acrobat further portions of Tesla productions, save, make searchable, save again separately .3 (level 3)	45.00/hr	13.50
e-mail to attorney West attaching stipulated protective order .1	400.00/hr	1,520.00
		
Receive from Papes modifications to declaration, Review and revised draft declaration of Papes for client further review 1.0		
E-mail from Papes re witnesses available or not for declarations .1		
E-mail from Papes of other witness statements .1		
E-mail from Papes with signed Rebic declaration .1		
Discuss with staff questions for Stjepan .1		
Revise draft WCD declaration re causes of action and claims subject of pending motions for default .1		
Discuss with staff revisions by Lesnik to draft declaration; save, print, give to Danijel Travancic, review with Gregor 1.0		
Add to questions for Stjepan .1		
E-mail from Papes, save attached supervisor records for hours worked at BMW by groups, review same .2		
Sort text by Papes, save to word, memo to staff for revisions to declaration 2		
		
E-mails to and from local contractors who had competed for jobs at Tesla, taken by Vuzem .1		
2/21/2020 Memo of workers listed on security badges for entry to Tesla, by bates numbers pages 302-474 October 2015 and 1301 to 1416 for July to October 2014 date ranges 3.0	75.00/hr	367.50
Revise Tesla worker memo to place workers in alpha order by last name .5		

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	<u>Rate</u>	<u>Amount</u>
Revise Eisenmann production memo to highlight workers not on Eisenmann workers list .4 Prepare memo of workers on Tesla documents not on Eisenmann workers list and of workers on Eisenmann documents not on Eisenmann workers list 1.0		
2/21/2020 Combine in acrobat further portions of Tesla productions, save, make searchable, save again separately .3 (level 3)	45.00/hr	13.50
memo re numbers of workers based on Eisenmann list with additional information from visas, letters and security entry records; direct staff to continue with indexing of productions to fill in numbers of workers .2 Locate visas for workers for companies other than Vuzem 1	400.00/hr	520.00
		
Add to draft motion for default judgment for coerced labor claims to add history of statute and to add results from other federally filed coerced labor cases .7 Prepare letter to defense counsel re incomplete productions and Eisenmann incomplete listing of workers, save to pdf, e-mail and mail to Tesla and Eisenmanns counsel 1.0		
		
2/22/2020 e-mail from Papes, review Papes revisions .2 prepare inserts to draft declaration, e-mails with staff and with Papes 1.0 Review Eisenmann counsels proposed stipulation for dismissal .1 Review Papes e-mail with statement from another worker, with inapplicable certification, save statement, read same .3 Review e-mail from Titan legal re BMW response to subpoena .1 Review pleadings and orders on applications for and orders on motions for default judgments in various coerced labor cases, save pleadings and orders 1.5 Add to draft motion for default judgment on coerced labor claims to revise citations	400.00/hr	2,920.00



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	<u>Rate</u>	<u>Amount</u>
1 [REDACTED]		
Review Papes declaration with Papes inserts, direct further revisions .4		
research enforcement of judgments in Slovenian and Croatian jurisdictions, ave articles, save laws on civil procedure, save statutes re collections 1.5		
2/23/2020 update EFC info into WCD decl default .8	75.00/hr	135.00
Locate files for exhibits that are time/pay related and organize 1		
receive e-mail from Gregor of statement in Slovenian of his damages and injuries; machine translate; call to Travancic 1.0	400.00/hr	1,640.00
Review Papes declaration with Papes inserts, direct further revisions .4		
[REDACTED]		
Locate e-mails from representatives for other defendants, save as pdf for exhibits .2		
Add to draft WCD declaration in support of motions for judgments 1.0		
Review draft Papes declaration with staff additions, save .3		
Add WCD revisions and additions .6		
E-mail to Papes .1		
2/24/2020 Receive and review Titan invoice SU327684-02-01		40.00
[REDACTED]	400.00/hr	
Letter from Morgan Lewis re: subpoena issued to BMW Manufacturing Co.: Notice of Improper Service and Prophylactic Objections		
revise and complete memo re workers identified on productions 1.0 (partially charged)	75.00/hr	75.00
e-mail from Papes of additions and revisions to declaration, save .1	400.00/hr	3,280.00
Review, revise and put in form of further draft of Papes declaration for client review .6		
Discuss with staff memo re workers identified from productions .3		
Discuss with staff and assist with indexing of exhibits for portion of Papes		

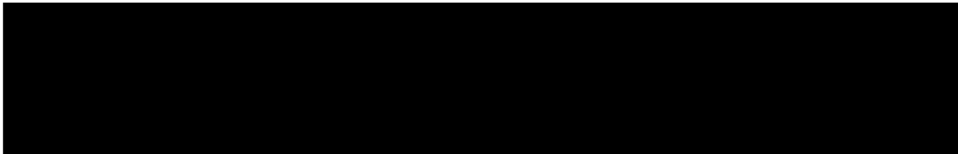
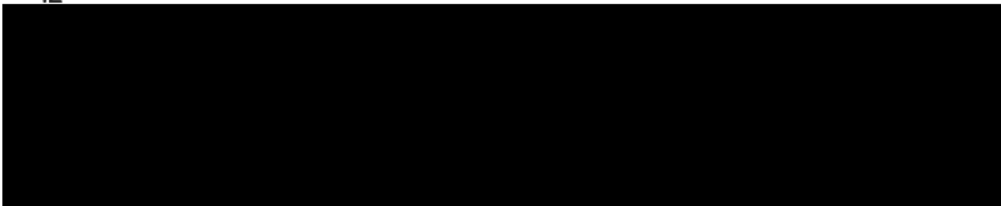
Gregor Lesnik

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	<u>Rate</u>	<u>Amount</u>
declaration re wages .5		
Discuss with staff adding ECF # to WCD declaration .1		
E-mail to Papes combined proposed wages exhibits with descriptions .3		
Discuss with staff and assist with indexing of exhibits for portion of Papes declaration re employment contract .3		
Discuss with staff and assist with indexing of exhibits for portion of Papes declaration re photos .2		
Discuss with staff and assist with indexing of exhibits for portion of Papes declaration re security badges .2		
Assist and direct in combining exhibits, e-mails to Papes .2		
Save to text motions, pleadings, orders and judgments on motions for defaults in other federal causes based on coerced labor claims 1.0		
Prepare shell for proposed Order granting motion for default on coerced labor claims .5		
Locate Vuzem proposed release of claims - never paid to workers .1		
Prepare initial draft of Travancic declaration re interactions with Vuzem management and supervisors for coerced labor claim 1.2		
Call to and E-mail to Travancic .1		
Review, revise and add to draft Order granting motion for judgment on FCA claims .5		
2/25/2020 prepare indexes of exhibits based on pdf naming 5.0	75.00/hr	375.00
e-mail from defense counsel, download and save executed agreement; save; forward by e-mail to clients final executed copy of settlement agreement; calendar due dates .2	400.00/hr	2,800.00
locate and save travel records for Lesnik .1		
Discuss and assist with index of exhibits for Papes declaration re visa documents .2		
Extract and save exhibits re trafficking, number order for Lesnik declaration 1.0		
number order exhibits for Papes declaration 1.0		

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	<u>Rate</u>	<u>Amount</u>
		
E-mails with Papes and staff of penultimate draft of Papes declaration with lists of exhibits		
1.0		
Revise grammar, revise inserted exhibit lists, move exhibits listed to logical ordering, save and penultimate draft for client review		
1.2		
Save as combined all Papes declarations prior to redactions		
.1		
Prepare draft letter and e-mail to Papes,		
.1		
Discuss with staff Index Lesnik contracts and wage exhibits		
.1		
Locate exhibits for WCD declaration of locations, and of other claims involving other workers and other companies		
1.0		
Direct and assist with index of exhibits for Lesnik declaration re coerced labor claim		
.2		
E-mail to Travancic		
.1		
Complete Papes declaration, complete exhibits prior to redaction, e-mail to Stjepan with directions		
.5		
2/26/2020 add exhibit numbering to individual exhibits		450.00
2.0	75.00/hr	
Review exhibits for financial information and dates of birth		
2.0		
Redact financial information and dates of birth, re-scan and incorporate into exhibits to Papes declaration		
2.0		
e-mail from Papes, save signed declaration		6,240.00
.1	400.00/hr	
Discuss with staff and assist with adding exhibit numbers do exhibits		
.2		
		
Review local rules, compare to information required by other districts on motions, save local rules, memo to file, add to draft WCD Declaration		
1.2		
Review draft proposed Joint CMC Statement, make revisions in track		

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	<u>Rate</u>	<u>Amount</u>
changes, e-mail to defense counsel		
1.0		
Save to file Papes declaration		
.1		
Add to draft Motion for coerced labor claims to analysis of serious threats		
.2		
<div style="background-color: black; height: 40px; width: 100%;"></div>		
Review with staff inserts of redacted exhibit pages		
.2 (partially charged)		
locate additional Lesnik exhibits based on his statement		
.2		
E-mail from Holtzman, Call with defense counsel Holtzman to discuss revisions and filing of CMC Statement		
.1		
memo to translate contracts, translate Papes and translate Lesnik, prepare memo for review by Travancic		
.8		
Organize Lesnik declaration by categories, remove duplicate statements, correct for grammar, add information from recent statement re damages		
.4		
Discussion with Travancic, revise Travancic declaration		
1.0		
Discussion with Travancic, revise Lesnik declaration		
1.0		
complete revised proposed Gregor Lesnik declaration with references to Exhibits		
.5		
Add substantial fact additions to motion regarding coerced labor claims		
4.0		
E-mail to Gregor		
.1		
Complete draft motion for default judgment for coerced labor		
2.5		
E-mail to Taube		
.1		
2/27/2020 Redact financial information and dates of birth, re-scan and incorporate into exhibits to Lesnik declaration	75.00/hr	412.50
1.5		
Review Papes declaration, prepare memo of work locations and work hours (start)		
4.0		
e-mail from Gregor, save signed declaration		
.1		
Discuss with staff redaction of financial, social and date of birth information	400.00/hr	2,800.00
.2		
E-mail from Palmer, review attachment, e-mail to Papes re numbers of workers and spreadsheets		
.2		

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	<u>Rate</u>	<u>Amount</u>
Save to server all drafts and completed MPA and declarations		
.2 (no charge)		
save to file Rebic Declaration		
.1		
Save to file Travancic Declaration		
.1		
Save to file Lesnik declaration		
.1		
save translated employment contract; copy to Word, clean up grammar, clean up formatting, save for review by Travancic; e-mail to Travancic		
.5		
Save translations of declarations		
1.0		
Review inserts by staff to draft WCD declaration		
.1		
Review and revise service list for motions for entry of default judgments; locate contacts for Branko Tomas, save contact information; add to service list		
.4		
Prepare shell proof of service for filing		
.1		
E-mail to and call with Taube re interpretation of coerced labor claimants		
.1		
Review Google translate Mucic, Rebic and Zivanic declarations		
.1		
save to file Rebic Declaration		
.1		
Save to file Mucic declaration		
.1		
Save to file Zivanic declaration		
.1		
E-mail to Travancic for translations to compare and complete		
.1		
E-mail to Judge Kohs clerk for scheduling motions		
.1		
Receive Scheduling Order, save		
.1		
Receive notice of continued CMC, save, calendar		
.1		
Google translate Premuzic statement re Lesnik declaration		
.3		
evaluate use of Premuzic statement		
.1		
Locate and save docs from litigation of workers and management from other companies and relationship to Vuzem		
1.0		

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		<u>Rate</u>	<u>Amount</u>
	Add to draft WCD declaration in support of motions for default including facts and documents re numbers of B1-B2 workers and of Vuzem workers .5 Research local rules re e-filing under seal, save procedures on website .5		
2/27/2020	Review and save Eisenmann objections to production, review e-mails by defense counsel of objections to production, save STC Statements, organize saved productions by defendants and by dates, review e-mails re promised productions, review stipulated protective order, review e-mails to chambers re proposed order, 1.0 E-mail to counsel for Eisenmann regarding production by Eisenmann and manner of production .1 Review federal and state trafficking statutes for proper plaintiffs; review corresponding criminal statutes and regulations; save statutes and regulations, prepare memo of analysis 2.0 E-mail to Vandenberg .1 E-mail from and to Koenig re status .1 Save combined in adobe additional Tesla entry records by date ranges .2 Extract pages of entries for use as exhibits .3 E-mail to defense counsel proposed documents to request withdrawal of confidentiality designation .3 Begin shell of motion to file under seal .3 Save as potential exhibits e-mails with counsel .1 <div style="background-color: black; height: 20px; width: 100%;"></div>	400.00/hr	1,920.00
	Prepare inserts re Mladen Gregurec .2		
2/28/2020	create exhibit list for WCD decl, label exhibits- create footers w/ exhibit numbers, insert exhibit list in to WCD decl, redact requested information, scan and update exhibits, assist WCD in combining exhibits with WCD decl	75.00/hr	375.00
	complete memo of work locations and work hours for Papes, prepare draft calculations for wages spreadsheet 5.0	75.00/hr	375.00
	e-mail from Palmer, receive final Palmer declaration, convert to pdf, save to e-file .2 Sort Papes declaration only, extract text .1 (partially charged)	400.00/hr	6,320.00


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	<u>Rate</u>	<u>Amount</u>
call with Bernay re request to withdraw confidentiality designation, memo to file		
.2		
Call to Foran, left vm		
.1		
Discuss translation of article re Premuzic human trafficking		
.1		
Sort, save, and direct index of exhibits to WCD declaration		
.3 (partially charged)		
E-mails from Holtzman and Bernay that Eisenmann will not withdraw confidentiality designation and proposing what Eisenmann would allow to be filed; save attachments, compare to other copies of documents		
.4		
Review calculation of Papes hours at all locations		
.2		
Review and revise exhibit list for WCD declaration		
2.0		
Add to and revise WCD declaration, save, print, sign, scan, compile with exhibits for filing		
1.0		
[REDACTED]		
Add fact references to coerced labor claim motion, save in final form; review for tables and authorities, save for filing		
2.0		
[REDACTED]		
Complete proposed order on coerced labor		
1.0		
[REDACTED]		
Upload all motions (interspersed with corrections of tables; only partially charged)		
1.0		
Review ECF filing guidelines, multiple efforts to make all declarations able to be filed, sort WCD declaration into subparts to save bookmarks		
1.0		
2/29/2020 printing motions for default judgement 16 sets, plus chamber copy for court, assembling into envelopes and ready for mailing		
time 5.5	75.00/hr	412.50

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	<u>Rate</u>	<u>Amount</u>
2/29/2020 complete e-filing, confirm receipt of e-notices of filing all documents 1.0 (partially charged) download and save filed motions 1.0 Direct staff in printing, sorting and preparing for mailing .5 Locate postal location to mail on February 29, determine not open as late as noted, organize documents to serve by mail on March 1 .2 (partially charged) (level 3) research standards for confidentiality, filing under seal, and declarations; memo of language to use in application 1.0 prepare application to file under seal, including identifying exhibits by same reference as in motions with authenticating declaration additional to file declaration, including to prepare declaration 2.0 Prepare proposed Order .3 follow procedures for application to file under seal .2 E-mail to counsel unredacted documents sought to be filed under seal .1	400.00/hr	2,440.00
3/1/2020 prepare revised proposed Order for Papes Judgment for Wages .2 complete print and organization of documents to deliver to US Post Office 1.0 (partially charged) assist in assembling documents with certified mail receipt forms .3 Attempt to deliver pleadings to US Postal Service 1.0 (no charge)	400.00/hr	600.00
3/2/2020 printing, mail prep and mailing of motions via USPS at Post Office, 16 international and 4 domestic 2.5	75.00/hr	187.50
Review, and save, requests and statements for upcoming CMC .1	400.00/hr	120.00
		
deliver pleadings to US Postal Service 1.0 (level 3) direct and assist with printing and organization of filed pleadings for delivery to chambers 1.0 (level 3)	45.00/hr	90.00
3/3/2020 discuss and review number and costs for printing of default motions .2 (no charge) prepare A-R of costs to date; review for accuracy, reprint, save to pdf .3 (no charge)	400.00/hr	760.00



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	<u>Rate</u>	<u>Amount</u>
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prepare History Report for Court billing statement to date

.2 (no charge)

receive court notice correcting hearing dates, download, save update calendar

.1

receive court notice correcting hearing dates, update calendar

.1

Save e-mails of past week with clients, court, Tesla and Eisenmann counsel, translators, consultant, and assisting counsel

.3 (partially charged)

save to pdf e-mails with counsel for Tesla and Eisenmann re document productions

.1

E-mails from and to clients re fee agreements, costs and distributions specifics with multiple attachments

.2 (partially charged)

e-mails to and from Papes for accounting

.1 (partially charge)

e-mails with defendants counsel re form of dismissal Order, review proposed Order

.1

E-mail to counsel for US DOJ re form of stipulation and proposed Order for dismissal

.1

Prepare draft Amended POS on motions for default (3)

.3

E-mail to clerk, call with clerk about accuracy for notice to defendants, e-mails with clerk about due process notice

.1 (partially charged)

Receive further Amended Clerks Notice Correcting Hearing Dates

.1

Complete Amended POS on motions for default (3), scan, sign, prepare to e-file and e-file

.3

3/3/2020 deliver pleadings to US Postal Service

1.0 (level 3)

45.00/hr

45.00

3/4/2020 e-mail with Michelle Lo of US DOJ re form of dismissal, and deft request to include dismissal with prejudice of FCA claims

400.00/hr

1,200.00

.1

Prepare detailed e-mail to Lo identifying language of settlement Term Sheet, formal Confidential Settlement Agreement, draft Stip and Order from defendants attorneys, and revised proposed Stipulation and Order consistent with government position, with attachments

.4

E-mail to Vandenberg

.1

E-mails with Papes re distributions

.1 (no charge)


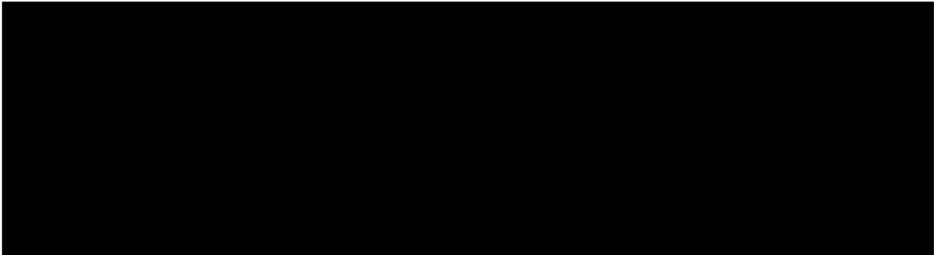
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	<u>Rate</u>	<u>Amount</u>
e-mails with clients re distributions		
.1 (no charge)		
review notes of calls with clients and witnesses; update employee contact information		
.2		
E-mail from Foran agreeing to edits in proposed Stipulation and Order		
.1		
E-mail from Bernay agreeing to edits		
.1		
Receive and review e-mail of yesterday from Foran attaching Tesla custodian declaration, save and receive Decl of Senior Access Control Specialist		
.1		
Receive and review e-mail with attachments from 3/2 from Foran attaching Tesla production, save		
.2		
Receive e-mail from Linda Chiem of Law 360 and e-notice from Law 360		
.1		
Receive confirmation e-mail from AUSAG Michelle Lo		
.1		
Review and revise proposed Stipulation and Dismissal based on further edit by counsel for Eisenmann, e-mail to counsel		
.1		
E-mail from counsel		
.1		
E-mails with attorney Foran regarding Tesla document production		
.1		
Begin review and analysis of Tesla spreadsheet for 2016 entries to site		
.4		
E-mail from Papes re contacts and work locations and dates for co-workers GR and LH		
.1		
receive, save and review statement from co-workers TP		
.1		
Receive, save and review attachments of work place notes from co-worker ST, and texts from co-worker ST		
.1		
E-mails from counsel for Tesla and for Eisenmann re edits to dismissal documents		
.1		
review Tesla spreadsheets, identify missing data and dates of data		
.2		
E-mail to counsel Foran		
.1		
Distributions to clients		
1.0 (no charge)		
3/5/2020 e-mail from Foran re gaps in Tesla spreadsheets		2,760.00
.1	400.00/hr	
e-mails with counsel about filing dismissal documents		
.1		
Save to file Stipulation for Dismissal and proposed Dismissal Order, e-file		
.1		


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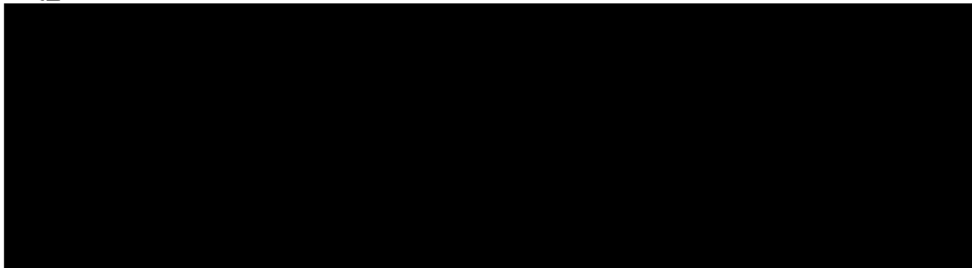
Page 200

	<u>Rate</u>	<u>Amount</u>
Prepare revised proposed Orders granting judgments on motions for Wages, and for FCA, based on amended order re dates of hearings .1 E-mails to Judge Koh attaching revised proposed Orders .1 Receive e-notice of and filed opposition by Eisenmann to Administrative Motion to File Under Seal, Declaration of Ta, Declaration of West, Eisenmann proposed Order; save, review .2 Locate e-mails to counsel re incomplete productions, save to pdf .1		
		
3/6/2020 Receive and review Return receipt of Registered mail from Vuzem USA, Inc. C/o CA Sec of State	400.00/hr	40.00
e-mail to Judge Koh attaching proposed Order confirming dismissal .1 E-mail from Papes of list of Vuzem workers that he spoke with, save attachment .1 Discussion with Papes about attorneys speaking to witnesses and formal declarations from co-workers witnesses .5	400.00/hr	280.00
3/7/2020 receive Order of dismissal (partial) .1 receive Order dismissing as moot motions to quash .1	400.00/hr	80.00
3/9/2020 	400.00/hr	280.00

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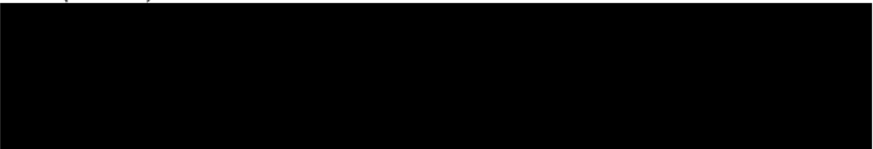
Page 201

		<u>Rate</u>	<u>Amount</u>
	Discuss with staff status of list of Vuzem workers, updates, saving spreadsheet of data needed for class claims; review revised co-worker list .3 E-mail from attorney Foran of closure dates for Tesla .1		
3/10/2020	Receive and review Return registered proof of delivery Branko Tomas Brotto Company USA, Inc. PO Box 27740 Returned from ISM Vuzem USA, Inc. C/o Branko Tomas 1600 Azalea Hill Drive, Unit 304 Greenville, SC 29607- return to sender attempted-not known unable to forward	400.00/hr	40.00
		400.00/hr	240.00
	E-mails re scheduling, calendar .1 E-mail from Lesnik re co-worker time periods at Vuzem .1		
3/11/2020	e-mail from Papes re status of investigating co-worker time periods at Vuzem .1 Direct scan and saving of pleadings returned by US Postal Service mailed to US entities .1	400.00/hr	80.00
3/12/2020	Receive and review invoice from Titan	400.00/hr	40.00
3/13/2020	file check names and addresses in co-worker spreadsheet. .5	75.00/hr	37.50
	Update ISM Vuzem employees spreadsheet 8.	75.00/hr	600.00
	discuss with staff revisions and additions to list of ISM Vuzem, d.o.o. employees .2 Discuss with staff spreadsheet limited to names and contact information for employees .2	400.00/hr	960.00



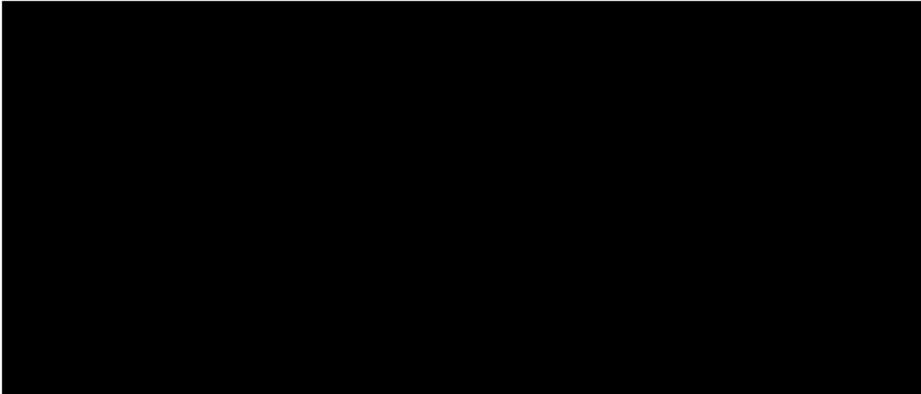
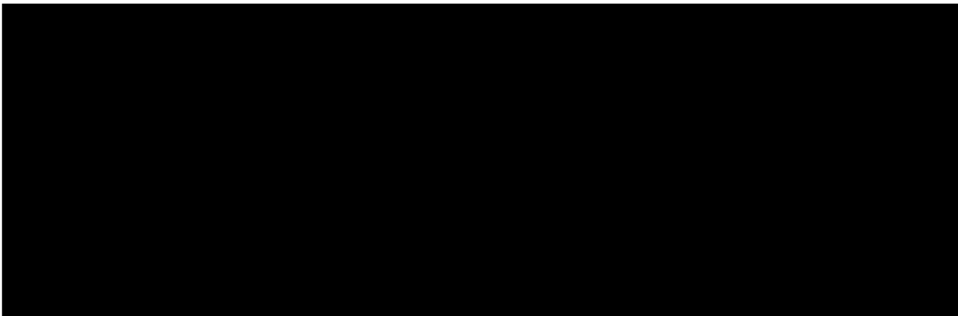

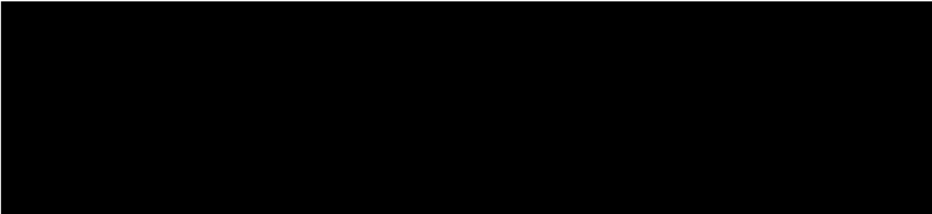

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	<u>Rate</u>	<u>Amount</u>
3/14/2020 Update ISM Vuzem employees spreadsheet 8.	75.00/hr	600.00
	400.00/hr	40.00
3/15/2020 discuss with staff additions to Vuzem employee list .1	400.00/hr	40.00
3/16/2020 Additions to ISM Vuzem employees spreadsheet 1. Organize pleadings, discovery, and client documents 6.	75.00/hr	525.00
review text of, potential privacy concerns with, and machine translations of proposed e-mail and questionnaire .1 (partially charged)	400.00/hr	40.00
3/17/2020 Prepared letter to Titan .1	75.00/hr	7.50
Discuss with Elma and obtain translation of proposed e-mail and questionnaire .1 (partially charged) locate, save and review General Order 72 and 73 including amendments re Corona virus and operations and scheduling .1 (partially charged) locate and review e-mails from February from counsel who provided advise; evaluate other counsels arguments re trafficking; prepare memo re possible oral argument on motions for default judgment as to trafficking / coerced labor claim .3 Review and assist in adding to worker name and contacts list .1	400.00/hr	240.00
3/18/2020 Organizing and filing 1. Translate English to Croatia .4	75.00/hr	105.00
	75.00/hr	56.25
review Tesla productions converted to pdf and made searchable, convert to pdf, save, make searchable, and re-save for the rest of the TIF documents .5 (level 3) 	400.00/hr	1,280.00

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	<u>Rate</u>	<u>Amount</u>
		
Review all Tesla and Eisenmann productions, prepare memo of what was required to be produced, what was produced and when		
.6		
Save all productions with memo to USB, fed ex to Pyle		
.2		
		
Discuss with staff tracking of deliveries of mail served pleadings, direct saving USPS tracking records, direct saving scanned custom forms		
.1		
		
3/19/2020 Completed organizing documents and filing		15.00
1.	75.00/hr	
copy WCD decl into word and clean up		56.25
.75	75.00/hr	
	400.00/hr	640.00
Review scanned customs declarations		
.1 (no charge)		
		

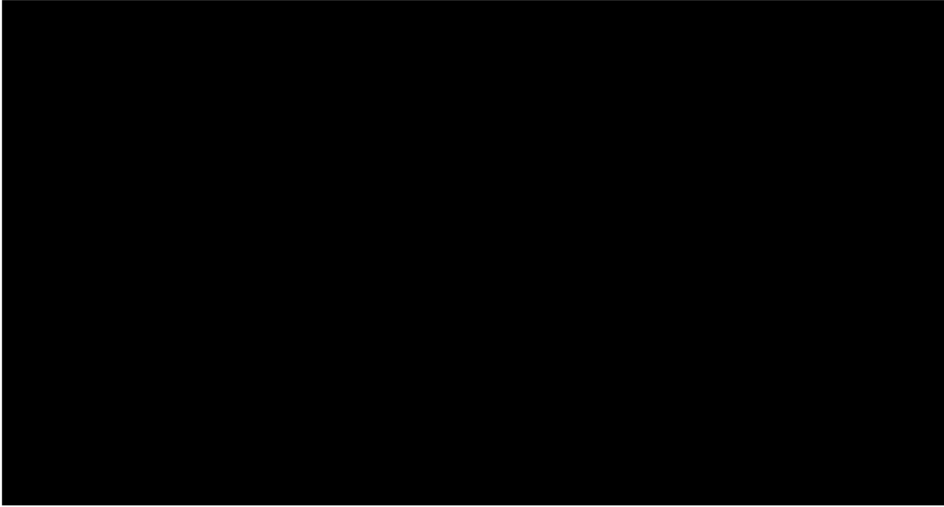


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	<u>Rate</u>	<u>Amount</u>
E-mail to Lesnik about additional information for answering questionnaire .1		
[REDACTED]		
Review, revise and add to draft declaration in support of motion for default judgment .5		
Discuss with Elma translations and assist with background to assist with translations .1		
E-mails with Papes about status of sending cover e-mail and questionnaire to class members with recent e-mail addresses .1		
3/20/2020 [REDACTED]	75.00/hr	206.25
Receive and review returned package from Vuzem USA - San Pedro, CA	400.00/hr	40.00
e-mail from Gregor Lesnik about needing bank statements and time documents, locate documents, e-mail to Gregor with hours, wages and contract documents, prior declaration, and filed complaints .2	400.00/hr	1,320.00
Review prior Papes e-mails, Prepare draft insert to Papes declaration as class representative identifying activities .1		
Locate facts and statements of worker ST, save, discuss with Papes which workers are most cooperative and which ones have privacy concerns .2		
Locate e-mails with Bernay, review text of Confidential Settlement Agreement, prepare memo re obligations of production and disclosure .2		
Prepare memo re confidential designations .1		
Review draft memos for e-mail and prepare detailed e-mail to attorney Bernay identifying productions by Eisenmann, obligation of production, what was not produced, and what is requested for compliance by Eisenmann with its obligations; print and save in pdf for exhibit to potential motion .4		
[REDACTED]		

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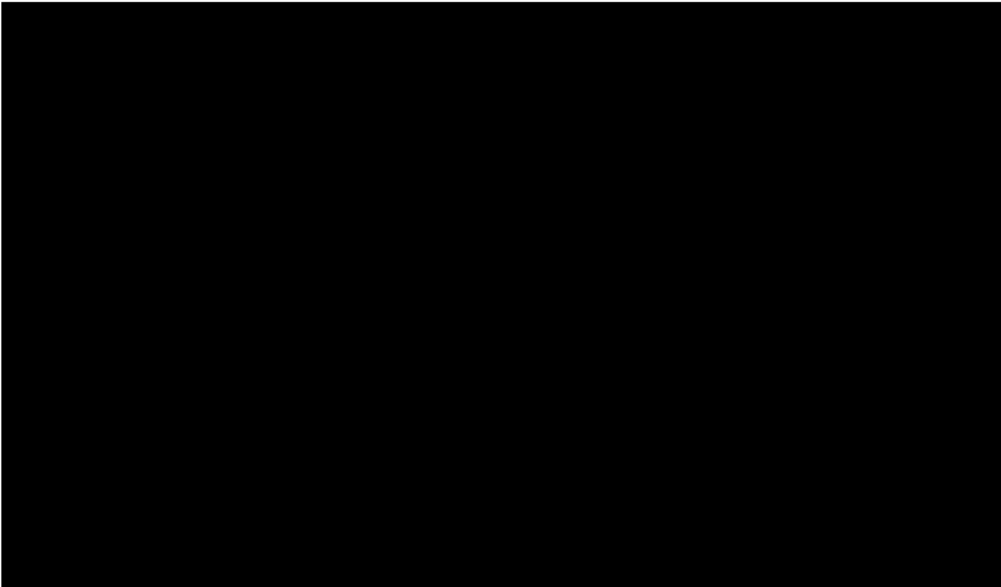
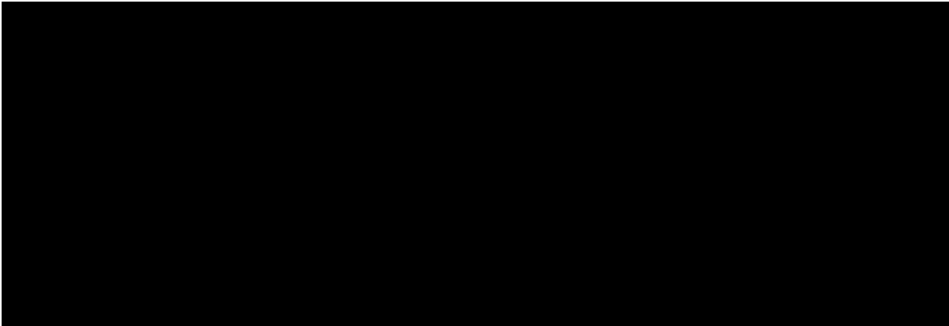

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		<u>Rate</u>	<u>Amount</u>
			
3/21/2020	 mail	400.00/hr	480.00
	call with co-worker RD, using Elma to interpret, memo of phone call .2 Call with co-worker SM, using Elma to interpret, memo of phone call .5 Discuss translations with Elma .1		
3/22/2020			480.00
	call with Class Member SM, memo to file .5		



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		<u>Rate</u>	<u>Amount</u>
3/23/2020		75.00/hr	307.50
		400.00/hr	320.00
	save Dropbox information .1 (no charge) Discuss translations with Elma .1		
3/24/2020	Updating spreadsheet, translating Statements and Questionnaire 8.	75.00/hr	600.00
	update Papes decl .5	75.00/hr	37.50
		400.00/hr	920.00
	E-mail from Pyle forwarding questions from workers concerned that Vuzem dba HRID-Mont d.o.o. would retaliate if their cooperation was known .1 		

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		<u>Rate</u>	<u>Amount</u>
	[REDACTED]		
	Discuss with Elma translations		
	.1		
	E-mail and call with Papes re some class members concerns about disclosure of names and contact information		
	.1		
3/25/2020	[REDACTED]	75.00/hr	600.00
	assist w machine translate		150.00
	2	75.00/hr	
	[REDACTED]	400.00/hr	480.00
	Multiple e-mails with Pyle re history of Alameda pleadings,		
	[REDACTED]		
	.3		
	Discuss translations into Croatian of portion of Papes declaration in common with other class member intended draft declarations		
	.2		
	Discuss with Elma translations		
	.1		
	E-mails with Stjepan, Danijel and Elma re specific translation questions		
	.1		
3/26/2020	[REDACTED]	75.00/hr	187.50
	[REDACTED]	75.00/hr	525.00
	review, and save, draft Papes declaration as translated into Croatian		120.00
	.2	400.00/hr	
	E-mails with Papes about his completing a questionnaire		
	.1		
3/27/2020	assist w machine translate and printing of documents		393.75
	5.25	75.00/hr	
	Receive and review Titan Invoice SU331364-0101		NO CHARGE
		400.00/hr	



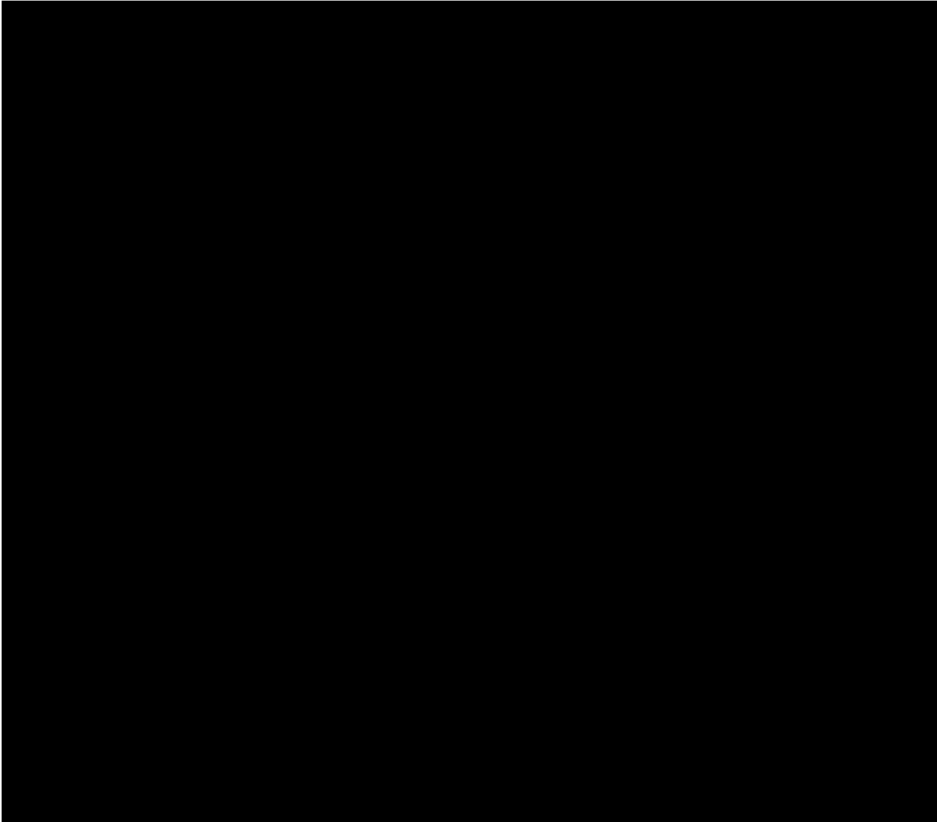
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		<u>Rate</u>	<u>Amount</u>
3/27/2020	[REDACTED] locate documents to attach as Exhibits to e-mail to attorney Bernay re incomplete Eisenmann productions, save to pdf for attachment .1 Detailed e-mail to Bernay of facts of meet and confer, identified documents from Plaintiffs Rule 26 production of Eisenmann knowledge, possession and failure to produce identification of workers, identification of contracts, and records relevant to motions .6 E-mail from Bernay stating Eisenmann production - not responding to omissions .1 [REDACTED] E-mail to Papes of update draft declaration in both English and Croatian .2	400.00/hr	880.00
3/29/2020	e-mail from Papes with revisions and additions to draft declaration; save, review .2 Discuss with Elma translations; save revisions to declaration of Papes .1	400.00/hr	120.00
3/30/2020	assist w machine translate, entering edits and organizing of statements and questionnaires 4.75	75.00/hr	356.25
	[REDACTED]	75.00/hr	600.00
	[REDACTED]	400.00/hr	160.00
	[REDACTED]	400.00/hr	440.00
	Direct updates to worker spreadsheet .1 [REDACTED] E-mails with Pyle re translation of Papes terms, and omitted or unclear		

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		<u>Rate</u>	<u>Amount</u>
	meaning of declaration .2		
3/31/2020		75.00/hr	300.00
		75.00/hr	7.50
		400.00/hr	280.00
	Discuss saving return receipts for service of motions for judgment .1 E-mails about scheduling calls between interpreter Radmilo Bozinovic and workers .1		
			
4/1/2020		75.00/hr	450.00
		75.00/hr	225.00
		400.00/hr	600.00

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	<u>Rate</u>	<u>Amount</u>
[REDACTED]		
4/1/2020 discuss with staff translations .1	400.00/hr	520.00
[REDACTED]		
4/2/2020 [REDACTED]	75.00/hr	600.00
texts to and call with Stjepan Papes re scheduling telephone calls with interpreter Radmilo Bozinovic and re case status, common class issues, and timing of all motions .6	400.00/hr	400.00
[REDACTED]		
E-mail to Stjepan re scheduling telephone calls .2		
[REDACTED]		
texts to and call with Stjepan Papes re scheduling telephone calls with interpreter Radmilo Bozinovic and re case status, common class issues, and timing of all motions .6	400.00/hr	400.00
[REDACTED] s		
E-mail to Stjepan re scheduling telephone calls .2		
[REDACTED]		

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		<u>Rate</u>	<u>Amount</u>
4/3/2020	[REDACTED]	75.00/hr	600.00
	[REDACTED]	400.00/hr	400.00
	[REDACTED]	400.00/hr	320.00
	[REDACTED]	400.00/hr	280.00
4/4/2020	[REDACTED]	75.00/hr	600.00
	[REDACTED]	400.00/hr	160.00
	[REDACTED]	400.00/hr	80.00
4/5/2020	Continued working on Spreadsheets	75.00/hr	600.00
8	[REDACTED]	400.00/hr	280.00
	E-mails to Pejic and to Dizdarevic		
.1	[REDACTED]		

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		<u>Rate</u>	<u>Amount</u>
	[REDACTED]		
4/5/2020	[REDACTED] E-mails to Pejic and to Dizdarevic .1	400.00/hr	280.00
	[REDACTED]		
4/6/2020	[REDACTED]	75.00/hr	600.00
	[REDACTED] Discuss with Elma and assist in explaining translations .1	400.00/hr	1,200.00
	[REDACTED] Detailed review of omissions, gaps and relationships in Tesla entry logs for identifying numbers of workers, dates of entry, and creating spreadsheets to calculate worker days 2.0		
	[REDACTED]	400.00/hr	160.00
4/7/2020	[REDACTED]	75.00/hr	600.00
	Receive and review returned from HRID-Mont, d.o.o. tracking CH093633379US-default motion returned from Vuzem San Pedro-amended POS	400.00/hr	40.00
4/8/2020	[REDACTED]	75.00/hr	600.00

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		<u>Rate</u>	<u>Amount</u>
4/9/2020	[REDACTED]	75.00/hr	600.00
	[REDACTED]	400.00/hr	320.00
	Receive e-mail responses from Danijel and from Elma .1		
	[REDACTED]		
	E-mails with attorney Foran about missing and omitted data from Tesla production .1		
4/10/2020	[REDACTED]	75.00/hr	412.50
	[REDACTED]	400.00/hr	320.00
4/11/2020	[REDACTED]	75.00/hr	450.00
4/12/2020	[REDACTED]	75.00/hr	300.00
4/13/2020	[REDACTED]	75.00/hr	600.00
	[REDACTED]	400.00/hr	1,360.00



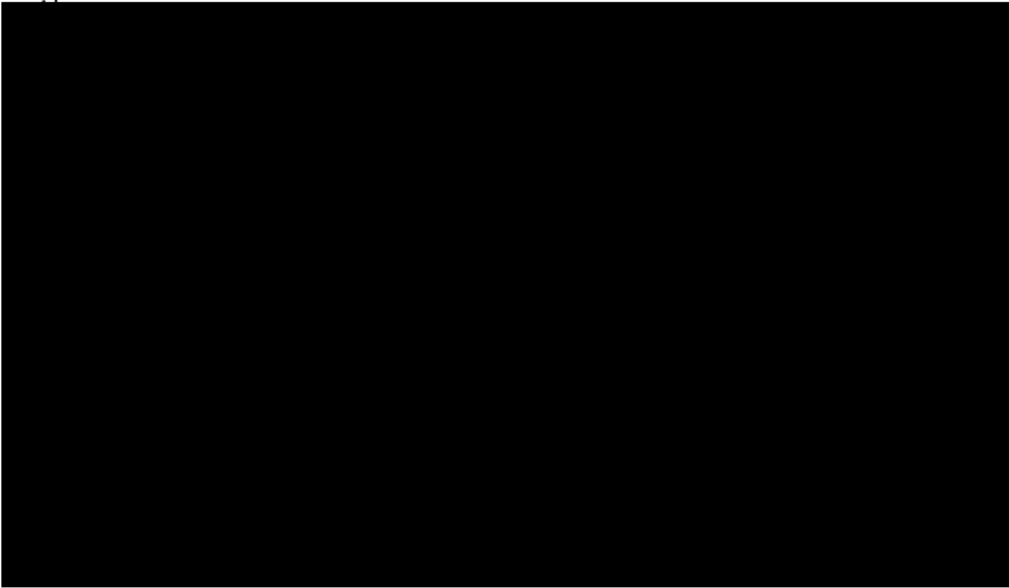
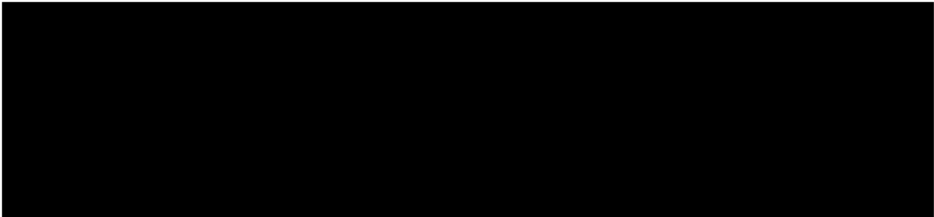


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		<u>Rate</u>	<u>Amount</u>
	[REDACTED]		
4/13/2020	[REDACTED]	75.00/hr	22.50
	[REDACTED]	75.00/hr	450.00
4/14/2020	[REDACTED]	75.00/hr	600.00
	[REDACTED]	400.00/hr	1,120.00
	E-mail to Foran identifying by date missing Tesla data		
	.2		
	E-mails from and to Foran re Tesla response to request for complete production		
	.1		
	[REDACTED]		
	copy data form tesla spreadsheet 001 and sort for workers assignment dates		
	6.5		
		75.00/hr	487.50
4/15/2020	[REDACTED]	75.00/hr	600.00
	discuss with staff, and review information for and memo re workers at Tesla omitted from entry logs, names on Tesla data who are supervisors, or not Vuzern employees and thus not Class Members		
	1.0		
	[REDACTED]		
	E-mail from Papes, review notes re Tesla data		
	.2		
	Followup clarifying e-mail to Papes, e-mail from Papes after calls with other		

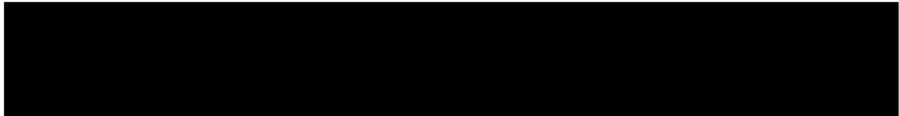
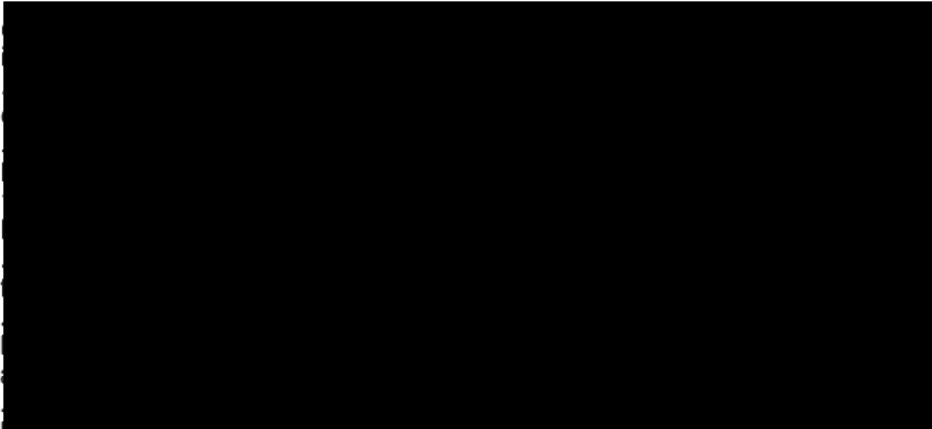
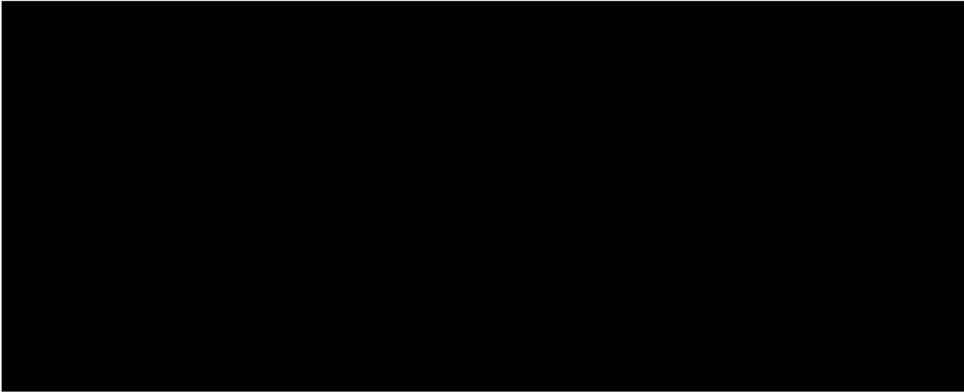

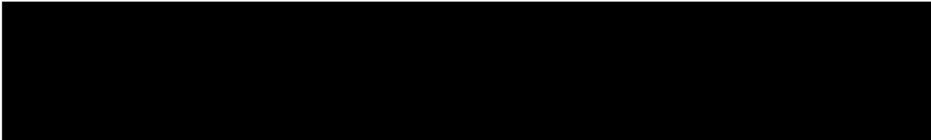
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	<u>Rate</u>	<u>Amount</u>
workers .1 Call with Papes .1 		
4/16/2020 	400.00/hr	1,520.00
E-mail from Papes .1 Calls with Papes .1 		
Call Papes re phone call from interpreter .1 E-mail to Gregor and Stjepan and to Fiester .1 E-mails with Pyle re duration of trips to and from Tesla, and what was involved .2 		


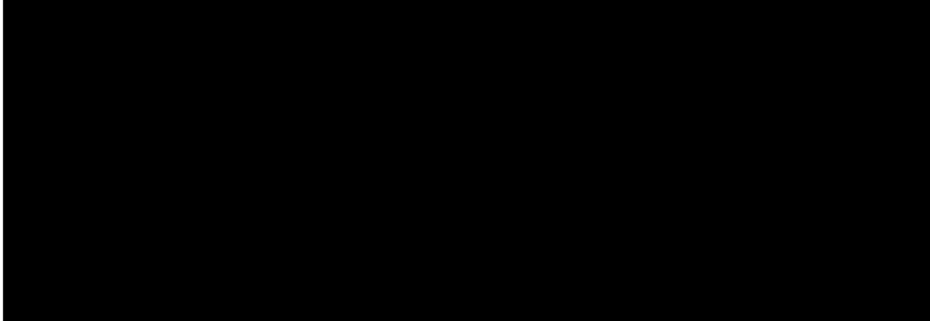
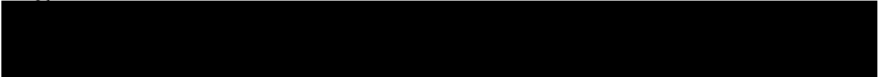


Gregor Lesnik

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		<u>Rate</u>	<u>Amount</u>
			
	E-mail to Pyle attaching all declarations and questionnaires by Papes and Lesnik .1		
4/16/2020	copy data from tesla spreadsheet 001462 and sort for workers assignment dates 6.7	75.00/hr	502.50
4/17/2020		400.00/hr	3,000.00
	Discuss with staff and add to memo about missing Tesla data .5		
	Review known Vuzem workers at Tesla with omitted Tesla data, memo re same .2		
			
		75.00/hr	495.00
4/19/2020		400.00/hr	2,000.00

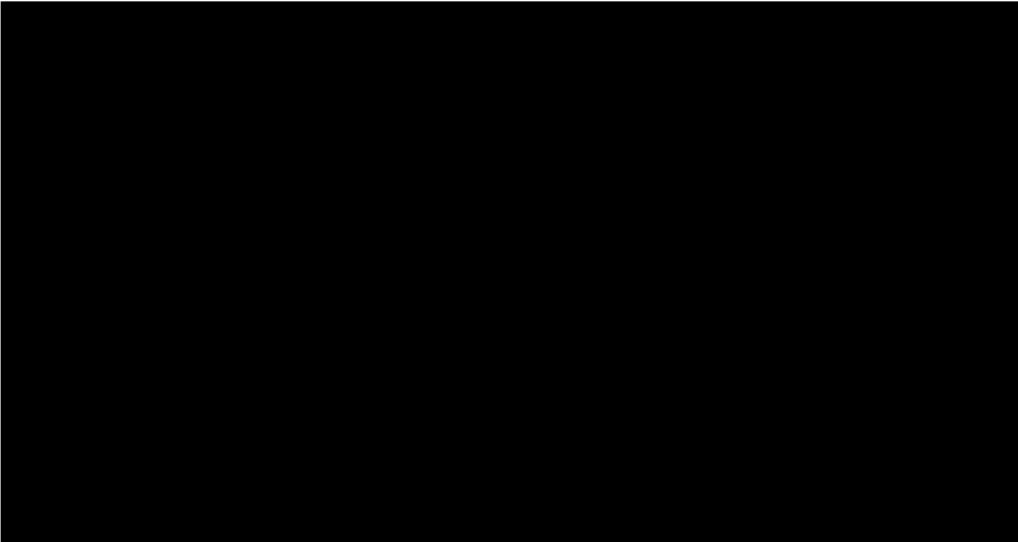


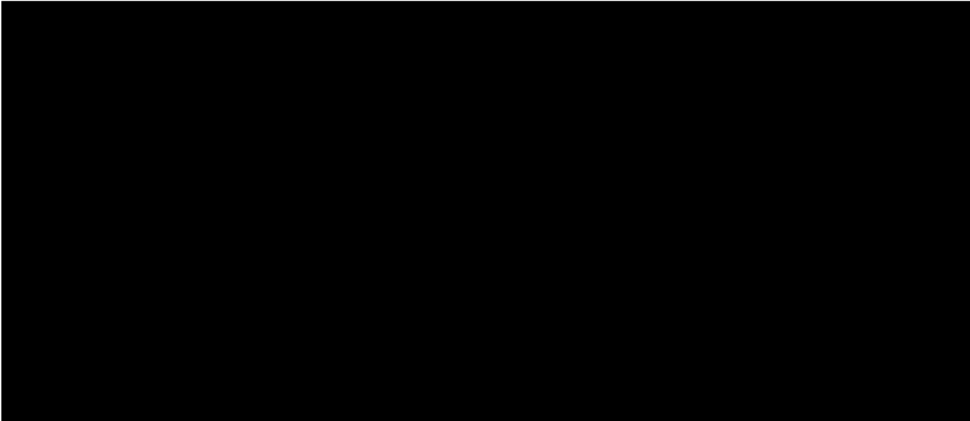
Gregor Lesnik

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		<u>Rate</u>	<u>Amount</u>
			
	Discuss and review badge scan issues for completing spreadsheets 1.0		
			
	Discuss translations with Elma .1		
	E-mail to Foran about Tesla confidentiality designations .1		
	E-mail to Foran about omitted Tesla data by dates and by workers and added workers by Tesla for non-Vuzem / Gregurec employees and management 3		
			
4/19/2020		75.00/hr	431.25
4/20/2020	Receive and review returned mail from Branko Tomas- Las Vegas	400.00/hr	40.00
		400.00/hr	2,680.00
	e-mail to attorney Bernay with copy to attorney Foran of missing information and intent to file motion to enforce settlement agreement absent production by Eisenmann .7		
	Call to Bernay .1		
	Call to Foran .1		
	Call to Maslic, text from Maslic about dates worked .1		
	Call to Papes, text from Papes about dates worked .1		

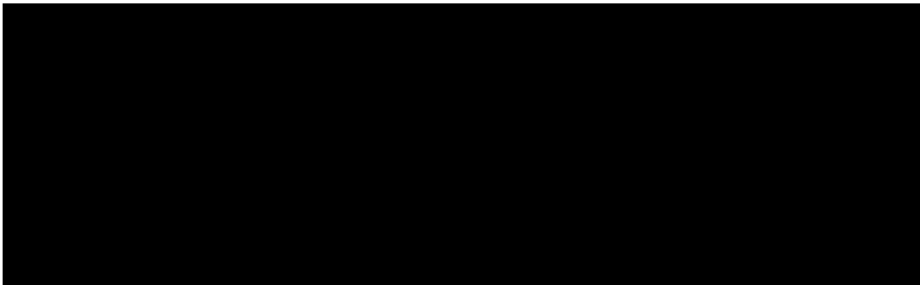
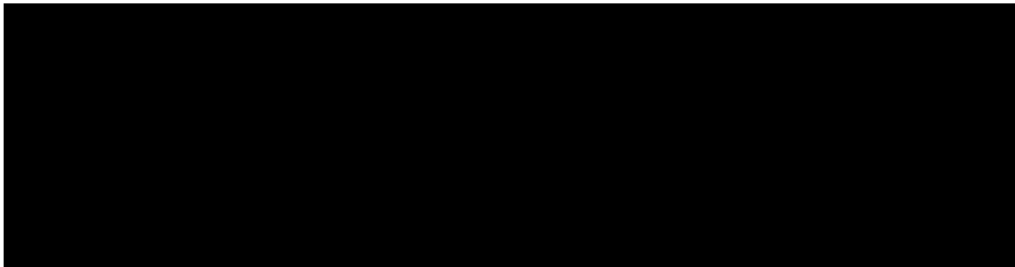
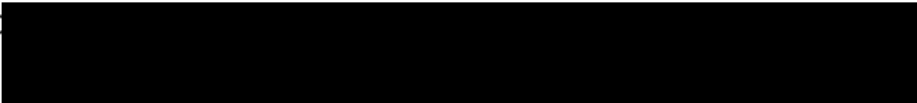
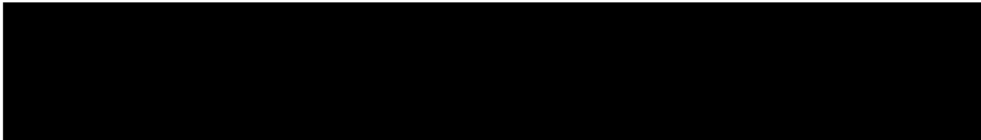
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		<u>Rate</u>	<u>Amount</u>
			
	E-mail to Bernay identifying who from Vuzern gave timesheets to who at Tesla .1		
4/20/2020		75.00/hr	401.25
4/21/2020		400.00/hr	1,200.00
		400.00/hr	3,960.00

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		<u>Rate</u>	<u>Amount</u>
			
	Review Third AC, sort out allegations, review drafts of MPA for default judgment, e-mail to Pyle of allegations of Third Amended Complaint and shell of key facts for alter ego liability 1.0 E-mail from attorney Bernay, open documents from link, save documents, review visa and contract records 1.0 research re alter ego liability under 9th Circuit and ND analysis, save research, prepare memo re standards 2.0 E-mail from Pyle of his researched authorities .1 Prepare draft insert to MPA for judgment re alter ego 1.3		
			
4/21/2020		75.00/hr	450.00
4/22/2020	discuss with staff entry of data for History Report for Court .3 (no charge) discuss with staff saving exhibits, identifying in text, exhibit numbering .2 Review documents re alter ego liability, locate and save in pdf HRID-Mont, d.o.o. pay records for Class Member GR, call to Papes about source of documents, receive e-mail from and call with Papes re source, locate declaration of GR referring to work for HRID-Mont d.o.o. 1.0 Call with Pyle about alter ego inserts .1	400.00/hr	2,200.00
			

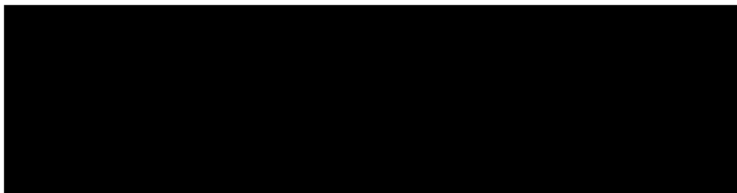
Gregor Lesnik

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		<u>Rate</u>	<u>Amount</u>
			
4/22/2020		400.00/hr	2,640.00
		75.00/hr	408.75
4/23/2020		400.00/hr	2,640.00
	E-mail to clients 1		
			
	prepare custom forms, filing of plds, billing 2.85	75.00/hr	213.75
4/24/2020		400.00/hr	760.00

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	<u>Rate</u>	<u>Amount</u>
		
Review COVID-19 revisions to standing orders .1		
		
4/27/2020 assist in completing proofs of service with customs forms, complete e-filing .1	400.00/hr	320.00
Discuss with staff saving USPS confirmation of delivery .1		
Receive, download and save e-filed proofs of service .1		
Discuss review of completeness and organization of paper copies of all pleadings .1		
E-mails with Pyle re further activities .1		
E-mails from and to Stjepan to respond to co-workers concerns .1		
E-mail to Fiester re e-service list .1		
Direct supplemental service on HRID-Mont, d.o.o., review and revise proof of service .1		
scanning USPS receipts-e file POS and filing, resend to HIRD d.o.o international priority mail- check mail status of default judgment motions 3.9	75.00/hr	292.50
4/28/2020 Receive and review Returned in envelope from USPS-part of Declaration of Gregor Lesnik in Support of Applications for Default Judgments EFC463 -Plaintiffs and Relators Gregor Lesnik and Stjepan Papes Motion for Default Judgment on cause of Action 1: False Claims Act EFC461 -part of EFC 462	400.00/hr	40.00
4/30/2020 track USPS notifications & save updates on server .2	75.00/hr	15.00



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		<u>Rate</u>	<u>Amount</u>
4/30/2020	[REDACTED] E-mails with Bozinovic .1	400.00/hr	80.00
5/1/2020	[REDACTED]	400.00/hr	80.00
5/4/2020	[REDACTED]	75.00/hr	382.50
	locate Orders for Default Judgment and Judgments, evaluate style and procedure, call to and e-mails with Hunter Pyle .4	400.00/hr	160.00
5/8/2020	[REDACTED]	75.00/hr	7.50
5/11/2020	[REDACTED]	75.00/hr	7.50
5/12/2020	[REDACTED]	400.00/hr	40.00
5/18/2020	[REDACTED]	75.00/hr	7.50
5/21/2020	[REDACTED]	400.00/hr	40.00
5/27/2020	review local rules of court and COVID-19 General Orders, save .1 [REDACTED]	400.00/hr	120.00
5/28/2020	[REDACTED]	400.00/hr	120.00
5/29/2020	receive and save Notice of Withdrawal of Counsel, Administrative Motion to replace counsel; print same .1 e-mail to Pyle re reason for Quyen Ta withdrawal as counsel .1	400.00/hr	120.00

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		<u>Rate</u>	<u>Amount</u>
	[REDACTED]		
6/2/2020	save e-mails of past week .1 Receive e-notice of, download, save and print notifications of changes in handling defense counsel .1	400.00/hr	80.00
6/8/2020	[REDACTED]	400.00/hr	40.00
6/9/2020	e-mail from Papes .1	400.00/hr	40.00
6/10/2020	e-mail to clients re status and calendered further activities .1	400.00/hr	40.00
6/15/2020	[REDACTED]	400.00/hr	120.00
6/16/2020	Call from Titan, memo to file .1	75.00/hr	7.50
6/24/2020	[REDACTED]	400.00/hr	40.00
6/25/2020	[REDACTED]	400.00/hr	40.00
	[REDACTED]	400.00/hr	80.00
6/28/2020	e-mail from and to Stjepan Papes .1	400.00/hr	40.00
6/29/2020	[REDACTED]	400.00/hr	40.00
	Receive and review Returned Class docs from ISDM Vuzem d.o.o. Returned Mtn for Default Judgement from HIRD-Mont d.o.o.	400.00/hr	40.00
7/2/2020	[REDACTED]	400.00/hr	240.00

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		<u>Rate</u>	<u>Amount</u>
.1	Review FRCP Rule 4; Hague Convention on Service; Croatia adoption of Convention and notifications; Slovenia adoption of Convention and notifications; save all in pdf		
.3	[REDACTED]		
7/3/2020	Receive and review Final class docs returned from R Vuzem	400.00/hr	40.00
7/19/2020	begin to prepare Dresser Declaration in support of First Amended Motions for Default Judgments by locating and identifying proofs of service and requests for entries of default, and inserting applicable facts	400.00/hr	680.00
1.5	Evaluate laws to be judicially noticed and how to authenticate		
.2			
7/23/2020	discuss with staff preparation of further amended motions		80.00
.2		400.00/hr	
7/25/2020	[REDACTED]	400.00/hr	40.00
7/26/2020	[REDACTED]	400.00/hr	440.00
	Review Order, prepare list of revisions and additions to make to initial motions for default judgments		
1.0			
7/27/2020	Download and saved pleadings to server, email to Darlene Sanchez requesting pleadings in Word format	75.00/hr	15.00
.2			
	[REDACTED]	400.00/hr	80.00
7/28/2020	[REDACTED]	75.00/hr	7.50
	[REDACTED]	400.00/hr	40.00
7/29/2020	evaluate e-mail to process server in Slovenian, and drafts of potential declarations	400.00/hr	160.00
.3			
	Discuss translation of Slovenian with Bosnian translator		
.1			



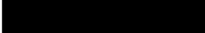
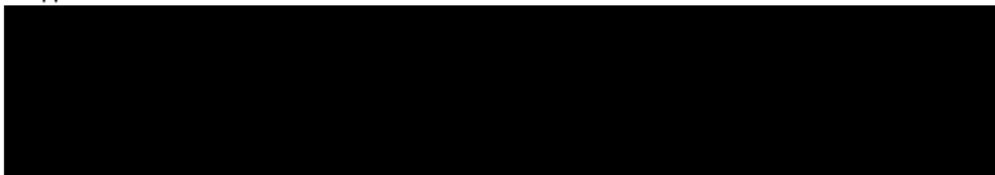
Gregor Lesnik

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	<u>Rate</u>	<u>Amount</u>
7/30/2020 determine what additional pleadings are required for amended motions, save drafts from initial motions, discuss with staff converting to pleadings supporting second motions .3 Prepare initial draft of declaration for Odvetnik Divjak re Slovenian law on service, on effect of foreign judgments, and on completed service of process 3.2 Discuss with staff additions to declaration of Divjak .2 Review translations of Slovenian statutes .2 Call with Travancic re hiring of Odvetnik Divjak, and translations into Slovenian and from Slovenian into English .2 E-mail to clients re obtaining declaration regarding service .1 E-mail to Divjak .1	400.00/hr	1,720.00
7/31/2020 discuss with staff revising motions for further hearing and motions .2 Locate contact information for and send e-mail to Odvetnik Luka Divjak re declaration about service .1 E-mail from Odvetnik Divjak .1 E-mail to Divjak .1 E-mails with Papes re declarations .1  Reformatting pleadings into word 2	400.00/hr       75.00/hr	240.00       150.00
8/1/2020 locate and save to an exhibits folder e-mails re service .2 Evaluate service for personal jurisdiction .5 E-mail to clients of draft declarations re service .1	400.00/hr	320.00
8/2/2020 review e-mails with clients .1 (partially charged)	400.00/hr	40.00
8/3/2020 Reformatting pleadings into word 2.2  e-mails from and to Odvetnik Luka Divjak re Order, FRCP, and Declaration .2 Wire funds to Divjak, e-mail to Divjak .2 (no charge)	75.00/hr  400.00/hr	165.00  280.00

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		<u>Rate</u>	<u>Amount</u>
			
8/4/2020	Reformatting pleadings into word 1.9	75.00/hr	142.50
	discuss with staff revisions to draft first amended motions for default judgments .3 (partially charged) prepare very initial draft of declaration of Croatian notary public Nada Sagi-Belcar .2 Add to and revise draft amended motion for default on coerced labor claims, causes of action 9 and 10 .5	400.00/hr	400.00
8/5/2020	Reformatting pleadings into word- motions draft CA wages C of A  9-10 PropOrder Coerced Labor,  4.3	75.00/hr	322.50
	locate with assistance of staff digital copies of proofs of service, locate translations, save to folder for preparing amended motion .2 (partially charged) e-mail from Odvetnik Luka Divjak, review downloaded declaration and attachments .2 E-mail to Divjak of minor revisions to declaration .1 	400.00/hr	1,120.00
	Direct revisions in Word to proposed Orders granting Judgment on motions for default; discuss and revise initial drafts .1 (partially charged) Review with staff memo of to dos for amended motions for default judgments .1 Prepare initial draft declaration of Bozinovic .4 Review draft RJN in support of amended motions for default judgments .1 E-mails to and from Pyle re scheduling .1 (no charge) e-mail to Bozinovic .1 Review Congressional Research Manual re trafficking .3 Review and update to do list for preparing further / amended motions for		

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		<u>Rate</u>	<u>Amount</u>
	entry of default judgments .3		
8/6/2020	e-mail from Odvetnik Luka Divjak, download and save revised declaration 1	400.00/hr	2,440.00
	[REDACTED]		
	Save EU and European Justice website articles and confirmation of adoption of Hague Convention .1		
	E-mails to and from and Call with Stjepan Papes .3		
	Prepare revised draft declaration of Croatian notary public Nada Sagi-Belcar 1.2		
	Research re service of process abroad, save article, save Water Splash v Menon opinion .2		
	Prepare memo of overview of service in Croatia .2		
	Draft inserts for Sagi-Belcar declaration; Add to draft declaration for Nada Sagi-Belcar, revise same; identify exhibits to draft declaration 1.0		
	E-mail to Sagi-Belcar .2		
	E-mail to Papes .1		
	Discuss with staff locating and saving translations from Slovenian into English of proofs of service .1 (partially charged)		
	E-mails to and from Sagi-Belcar, Pyle, Papes, Divjak, and Bozinovic re declarations and translations .4		
	Review Word copies of POS on foreign entities .1		
8/7/2020	[REDACTED]	75.00/hr	243.75
	e-mail from Papes .1	400.00/hr	3,440.00
	Review cited authority in e-mail, attempt to download Croatian statutes 1.0		
	Review Order directing amended motions for default .1		
	Review and excerpt portions of courts orders on motions to dismiss .2		
	Review all Federal Rules of Civil Procedure for applicability to all aspects of pleading, service, motions, judicial notice and service; bookmark FRCP		


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	<u>Rate</u>	<u>Amount</u>
1.5 Review authorities re service		
.2 memos re service, RJN, personal jurisdiction, minimum contacts, subject matter jurisdiction and judgment		
.7 [REDACTED]		
revise and add to amended motion concerning personal jurisdiction, venue, subject matter jurisdiction, and Eitel factors		
3.0 Call with Papes		
.3 Locate Croatian statutes, save in print screen format, re-save in pdf, translate into English, save all copies		
.3 [REDACTED]		
Locate case authority for qualifications of Bozinovic		
.1 Attempted Call to and e-mail to Radmilo Bozinovic about further activities; memo to file		
.1 [REDACTED]		
8/8/2020 review draft declaration of Belcar		160.00
.1 Memo re to dos for factual background and legal issues to evaluate	400.00/hr	
.3		
8/9/2020 review e-mails with Odvetnik Luka Divjak		40.00
.1	400.00/hr	
8/11/2020 e-mail from Nada Sagi-Belcar		80.00
.1 save proposed Belcar declaration	400.00/hr	
.1		
8/12/2020 Translate declaration		30.00
.4	75.00/hr	
e-mail from, and call with Stjepan		640.00
.3 Review e-mails from Papes, Nada Sagi-Belcar, Pyle, Bozinovic, and Bojic re declaration for service in Croatia	400.00/hr	
.4 Direct translation of proofs of service, assist with locating same, assist with naming as exhibits		
.2		

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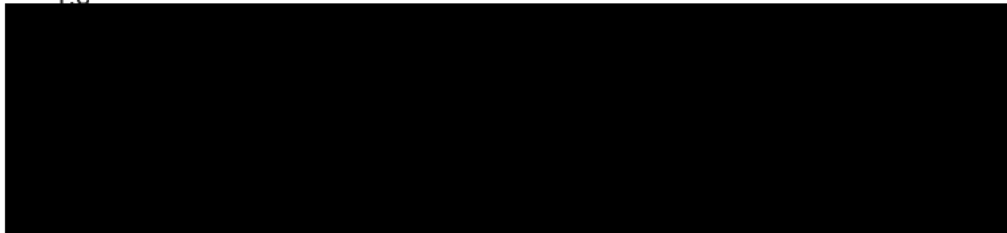
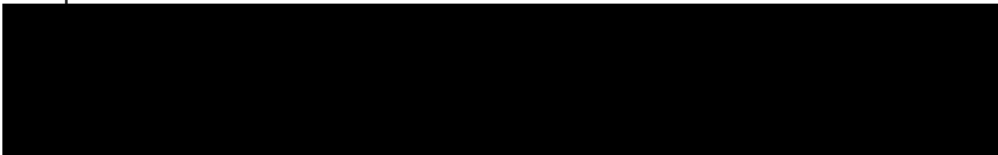
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	<u>Rate</u>	<u>Amount</u>
E-mails with Papes and with Bojic .1		
Translation of draft Belcar declaration .1		
E-mail to Sagi-Belcar .1		
Research application of California wage law on issues for subject matter jurisdiction, memo to file .4		
8/13/2020 Locate Proofs of Service both translated and originals and prepare for Exhibits 3.	75.00/hr	225.00
review translated proofs of service, save for declaration of Bozinovic, save original proofs of service .2	400.00/hr	1,400.00
e-mail from Bojic .1		
E-mail from Papes .1		
Call with Bozinovic .3		
Review and revise Bozinovic declaration .2		
Direct saving of proofs of services .1		
Locate and save Decl of Divjak, save exhibits .1		
Prepare to file Divjak declaration .2		
Direct staff in preparation of exhibit cover pages .1		
Locate Notary statutes, save in Croatian, translate into English, review website to obtain, search for any official or unofficial English translation; save for exhibits 1.0		
Revise draft declaration of Sagi-Belcar .4		
Prepare draft declaration of Bojic .4		
E-mail to Bojic .1		
E-mail to Bozinovic 1		
		
8/14/2020 e-mail from Bojic .1	400.00/hr	200.00
E-mails from Papes		



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	<u>Rate</u>	<u>Amount</u>
.1 Review and translate forwarded e-mail from Nada Sagi-Belcar		
.1 Evaluate Declaration to identify all services and all notices to all defendants		
.2		
8/15/2020 review declarations of Divjak and draft by Nada Sagi-Belcar; review and revise Request for Judicial Notice, locate and save in pdf applicable laws, complete and save for filing Request for Judicial Notice	400.00/hr	3,720.00
1.5 Add to Dresser Declaration		
1.0 		
.4 Add to Dresser Declaration to state further facts re filings, translations, service, defaults		
1.0 Clean up naming of documents in text and attachments to Request for Judicial Notice, complete, and combine exhibits for, Request for Judicial Notice		
.4 Memo re status of motions		
.1 Memo to locate references to Gregurec		
.1 Locate references to Gregurec in Ex. 374 and 375		
.1 Review MPA for needed additions and completions of cites to evidence		
.5 Review Declaration for needed additions to exhibits; locate and save as exhibits translations, compare translations to confirm same		
.3 Add to draft declaration		
.1 Organize exhibits for declarations in support of motions		
.2 Sort and save drafts of declaration for Sagi-Belcar		
1 		
Evaluate length of brief, locate and review local rules and judges rules re		

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	<u>Rate</u>	<u>Amount</u>
briefs .1 (partially charged)		
8/16/2020 locate, save, enhance Slovenian and Croatian translations of Third Amended Complaint; .2 Locate Fibula translation invoice, save .1 	400.00/hr	3,040.00
Add to draft declaration in support of first amended motions for default judgments 1.0 		
8/17/2020 Receive and review Lesnik v Eisenmann Corporation/The HarfordADJ9981538 (SJO) Objection to Communicaid, Inc. Petition for Costs	400.00/hr	40.00
Download documents from One Legal, update spreadsheet .1 Translate Summons in Croatian and Slovenian .4	75.00/hr	37.50
Assisted with formatting and cites for MPA and Decl 5.3	75.00/hr	397.50
add to draft declaration in support of amended motions for default judgments 1.0 	400.00/hr	2,800.00
Review Summons and translations .2 Add to MPA support default on coerced labor claims; save successive versions of todays drafts 2.5 		
Call with Bojic .1 Multiple E-mails to and from Bojic, including attached drafts and revisions of declarations .2		


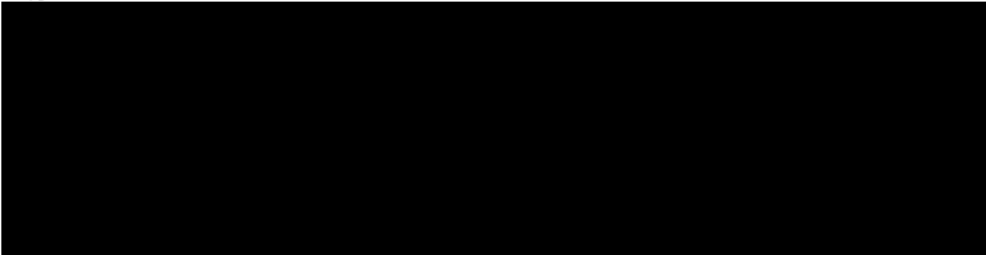
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	<u>Rate</u>	<u>Amount</u>
8/18/2020 Assisted with formatting and cites for MPA and Decl 1.75	75.00/hr	131.25
receive from 2015 Lesnik workers comp proceeding objection to Communicaid Petition for Costs .1	400.00/hr	1,840.00
		
Research Sullivan v Oracle on choice of law, review citations to jurisdiction .5		
Review cited cases for basis of pendent jurisdiction .3		
Locate, save, and review Ratha v Phatthana Seafood briefs; analyze Present In as term of art for jurisdiction .7		
Add to draft motion for default on coerced labor cause of action 2.0		
		
E-mail from Papes, forward to Bojic .1		
8/19/2020 Assisted with formatting and cites for MPA and Decl 1.6	75.00/hr	120.00
prepare insert to coerced labor of analysis of William Wilberforce Act language for extraterritorial jurisdiction .5	400.00/hr	3,520.00
Prepare insert re alter ego fact citations to record 2.5		
		
Call with Bozinovic re translations and due date for declaration .1		
E-mails with Papes and Sagi-Belcar .1		
E-mail to Pyle re status of translations of proofs of service .1		
8/20/2020 Assisted with formatting and cites for MPA and Decl 6	75.00/hr	450.00
e-mail from Bojic enclosing notary declaration and Bojic declaration Save exhibits of translations of proofs of service .1 3	400.00/hr	5,720.00
		
Add to draft MPA default judgment on coerced labor claims 3.5		
Add to successive drafts of declaration in support of default judgments 1.0		
Sort exhibits for motions by visas and welcome letters, review exhibit numbering; e-mail to Bernay re filing of documents designated as confidential		

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	<u>Rate</u>	<u>Amount</u>
.5 E-mail to Foran to confirm prior withdrawn objection to confidentiality of Tesla access records .4 E-mail to Pyle explaining exhibits that were filed under seal .1 E-mail to court clerk on filing motions and obtaining hearing dates .1 E-mails to and from Bozinovic including sorting and attaching exhibits in native language and as translated; and main translations of proofs of service .3 E-mail to Bojic confirming receipt of statement .1 Save Belcar statement with exhibits .1 Sort, save, name and prepare to attach to Dresser Declaration copies of Tesla entry logs .2 Direct preparation of exhibit cover sheets .1 Identify, number for exhibits, and save as exhibits Orders, Summons, Complaint, waivers re service .4 Locate citations in record for factual allegations of activities in California, add to insert to MPAs 1.0 E-mail with Bojic re password protection of electronic copy of Croatian translation 1 		
Consider compendium of authorities, consider RJN; locate copies of Orders, Motions, pleadings and ju		
8/20/2020 E-mail to Pyle explaining analysis .2 Call to Papes explaining analysis .3 Further e-mail to Holtzman re described documents and withdrawal of confidentiality designation, locate attachments of exhibits to file .2 E-mail from Holtzman directing plaintiff to file exhibits under seal except as heavily redacted .1	400.00/hr	320.00
8/21/2020 Printing and scanning of Dresser Dec exhibit 404, draft POS-verifying addresses 2.75  receive and save translations by Bozinovic of Certificates for service .3 E-mail to Bozinovic .1 Locate Order by Judge Kohn, E-mail from Holtzman, e-mail to Holtzman re filing under seal .3 	75.00/hr  400.00/hr	206.25  2,800.00

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	<u>Rate</u>	<u>Amount</u>
E-mail from and to Foran re Tesla withdrawing designation of confidentiality		
.1		
E-mail from Clerk		
.1		
Print to pdf, sort, save and name e-mails and exhibits for proposed administrative motion to file under seal		
.4		
Multiple e-mails with Bozinovic re declaration		
.1		
<div style="background-color: black; height: 40px; width: 100%;"></div>		
E-mail to Bozinovic		
.1		
Save to pdf visas and welcome letters and save as proposed exhibits		
1.0		
Translate German text found on visas and welcome letters, save memo		
.2		
Save binder of visas and letters, save further copy as enhanced		
.2		
E-mails to and from Holtzman objecting to challenge to confidential on basis of timing and specification of basis of challenge; review Order, prepare reply e-mail		
.5		
E-mail to Holtzman attaching binder of documents		
.1		
E-mail to Holtzman challenging confidentiality designation		
.2		
E-mail from Holtzman of Eisenmann proposed redactions		
.1		
Save as exhibit e-mail from Foran to identify why documents from Tesla are not filed under seal		
.1		
E-mail from Bojic		
.1		
8/22/2020 receive e-mails from counsel for Eisenmann		3,760.00
.1	400.00/hr	
Save e-mails for exhibits		
.2		
Review, revise and redact welcome letters and visas for exhibits, save exhibits		
1.4		
Compare exhibits to unredacted letters and partially redacted visas, save corresponding sets for exhibits and for exhibits to file under seal		
.3		
Review local rules, review other applications in ND California, prepare administrative motion		
1.5		
Prepare declaration in support of administrative motion		
1.0		

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	<u>Rate</u>	<u>Amount</u>
Revise exhibits to declaration .1		
Prepare draft Supplemental Declaration in Support of motions 1.2		
Review attachments to draft Supplemental Declaration .2		
E-mail to counsel .2		
Revise memo re coerced labor judgments and orders .1		
Add to and complete Decl, Administrative Motion, proposed Order, and listing of exhibits to file under seal; save; convert to pdf 2.5		
Redact e-mails with Eisenmanns counsel .1		
Redact visas and letters per counsels demands .3		
Save all documents to pdf .1		
E-mail to counsel for Eisenmann .1		
8/23/2020 review exhibits, review declarations, and insert evidentiary references to all three draft amended motions for default judgments; save signature pages; save to file Bozinovic declaration 6.0	400.00/hr	6,440.00
Review and revise amended motions for Default Judgment on [REDACTED] and coerced labor Claims including reasonable value of services analysis, damages calculation, jurisdictional basis for federal claims, and evidentiary references and draft updated tables 6.0		
E-mails with and call with Radmilo Bozinovic re revisions to proposed Declaration, revise declaration, e-mails to and from Bozinovic, save attached signed declaration .4		
E-mail to counsel re redactions, e-mails from counsel for Eisenmann to make changes in documents filed under seal, save e-mails, save attachments, compare to the proposed versions of the documents, e-mail to counsel re relevant information, memo re further redactions to welcome letters; make redactions; e-mail to counsel 2.0		
Locate Brotto addresses for Branko Tomas; save pdf of research, memo to file .3		
Prepare proposed Order on Coerced Labor claims .4		
Complete to file under seal Supplemental Dresser Declaration in support of motions for default judgments 1.0		

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	<u>Rate</u>	<u>Amount</u>
8/23/2020 US ex rel Lesnik, by Elma, enter as other paralegal Translations of documents for declarations and exhibits 2.0 (level 2)	75.00/hr	150.00
8/24/2020 Locate address info and research for Branko Tomas, assist with spread sheet for wages using papa decl efc 462, formatting of MPA, update POS 7	75.00/hr	525.00
e-mails from and to Bernay re redactions by Plaintiffs .1 [REDACTED]	400.00/hr	7,280.00
E-mail from Bernay, review Eisenmann proposed exhibits .1 Revise administrative motion and declaration to reflect requested changes by Eisenmann to exhibits .3 E-mail to Bernay re adopted redactions and redactions not adopted .1 Call with Ruth Silver Taube re jurisdiction for coerced labor claims and under Title III limits .2 E-mail to Pyle re status of filings, opinion re jurisdiction for Title III courts, and intended Maslic complaint in state court for wages recoveries 1 [REDACTED]		
Revise and complete administrative motion to file under seal "Welcome letters" and visas that identified the Vuzem management, including Motion, Declaration, redacted declaration to file, and unredacted declaration to file that does not have the exhibits attached 1.0 Revise and save signed and redacted welcome letters with redacted named as Exhibit nnn_A designation .2 E-file administrative motion .1 [REDACTED]		
8/25/2020 Copy efiled documents .3 level 3	45.00/hr	13.50
Finished typed version of Release .3	75.00/hr	22.50

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	<u>Rate</u>	<u>Amount</u>
8/25/2020 formatting of MPA, POS 3.8	75.00/hr	285.00
revise and complete Motion for Default Judgment on Coerced Labor Claims 4.0	400.00/hr	3,560.00
Direct revisions to formatting and tables .1		
Locate and save attachments, and revise and complete Request for Judicial Notice of other Orders and Judgments 8		
[REDACTED]		
Locate information for service of motions, save for insert .1		
[REDACTED]		
Prepare proposed Order re Coerced Labor claims 7		
[REDACTED]		
Review and revised Motion for Default Judgment on Coerced Labor Claims .2		
E-mails with Ruth Taube .1		
E-file motion, RJN and proposed Order .2		
File other proposed Orders .1		
Review spreadsheet; prepare Appendix cover pleading, attach spreadsheet, e-file .3		
Receive e-filing notices and e-filed copies of motions; save .1 (partially charged)		
Review FRCP, review cases interpreting dismissals, Prepare Request for Dismissals without prejudice of California wages claims, and of California TVPA claims; e-file dismissals .5		
8/26/2020 download efiled documents, added to Proof of Service, assist in serving Motions to 14 defendants 8.	75.00/hr	600.00
POS and preparing for international and domestic mailings and going to post office 6.2	75.00/hr	465.00
Receive and save e-filing notices and e-filed copies of motions and supporting declarations and documents .3	400.00/hr	360.00
Direct staff in printing and saving copies .1 (partially charged)		
e-mail to Clients regarding status and attaching filed motions		



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		<u>Rate</u>	<u>Amount</u>
	.1 E-mail from Taube, e-mail to Taube		
	.1 E-mail from Bernay, e-mail to Bernay attaching under seal docket 500-4		
	.1 Review and revise proofs of service		
	.2		
8/27/2020	Call to Court Clerk re Courtesy Copies to Judge, memo to file, assist in preparing documents, index tabs, exhibits for Judges Chambers	75.00/hr	525.00
	7.		
	Calculating postage, signing up w usps for tracking info preparing chamber's copy and delivering to Federal Court House drop box	75.00/hr	307.50
	4.1		
	review local rules re COVID, review Judge Kohs standing orders - current; save General Orders including GO 73	400.00/hr	400.00
	.1 (partially charged)		
	assist in organizing pleadings for delivery of Chambers Copies		
	.3 (partially charged)		
	[REDACTED]		
	E-mail to Judge Koh attaching proposed Orders		
	.1		
	Save e-notice of filings, save e-notices, save e-filed pleadings and proposed Orders		
	.1 (partially charged)		
	Discuss with staff tracking of copies, mailing, and service, and of saving, printing and filing hard copies of motions		
	.1 (partially charged)		
	discuss, review and revise proofs of services		
	.2		
8/28/2020	Track and download tracking from USPS.com	75.00/hr	37.50
	.5		
	review tracking of service by priority mail with tracking of motions for default judgments	400.00/hr	80.00
	.1		
	Receive Eisenmann support of administrative motion to file under seal		
	.1		
8/30/2020	call with Gregor re status	400.00/hr	80.00
	.2		
8/31/2020	Organize file	75.00/hr	30.00
	.4		
	Track and download tracking from USPS.com	75.00/hr	22.50
	.3		

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		<u>Rate</u>	<u>Amount</u>
8/31/2020	review organization of and completeness of filed pleadings and orders .2 Review status of tracking priority mail .1	400.00/hr	120.00
9/1/2020	Track and download tracking from USPS.com .1	75.00/hr	7.50
	e-mails from and to Radmilo Bozinovic re assignment .1 Receive and save invoice .1 (no charge) receive notice of Order, save and calendar continued CMC date .1 Discuss with staff saving updates on status of mailing and delivery of motions .1	400.00/hr	120.00
9/2/2020	Translating Complaint 4.	75.00/hr	300.00
	Track and download tracking from USPS.com .1	75.00/hr	7.50
	save e-mails of past two weeks .2	400.00/hr	80.00
9/3/2020	Track and download tracking from USPS.com .3	75.00/hr	22.50
	save billing, save communication from Divjak .1 Save e-mails .1 E-mail from and to Bojic .1	400.00/hr	120.00
9/4/2020	e-mails with Bojic and with Bozinovic; arrange payment .2 (no charge)	400.00/hr	NO CHARGE
9/8/2020	Translating letters from client from the Slovenian court 1.0	75.00/hr	75.00
	Track and download tracking from USPS.com .25	75.00/hr	18.75
	texts from Gregor, review attachments, forward to office to save and translate .1 Texts with Stjepan .1 Call to Gregor .1 E-mail to Gregor, and to Stjepan and Danijel	400.00/hr	200.00


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		<u>Rate</u>	<u>Amount</u>
	.1 Discuss with staff status of and documentation concerning mailing of amended motions .1		
9/9/2020	download document from client, translate documents .5	75.00/hr	37.50
	Track and download tracking from USPS.com .25	75.00/hr	18.75
	e-mails from Papes and from Lesnik .1 Receive e-mail from attorney Bernay re confidentiality designation .1 Prepare reply e-mail to Bernay .4 Discuss with staff documentation of mailing and delivery of amended motions .1 Review Vuzem request to prosecute Gregor .1	400.00/hr	320.00
9/10/2020	Translating documents 3.	75.00/hr	225.00
9/11/2020	review declaration of West in support of Eisenmann support for admin motion to file under seal .2 Research regarding confidentiality including designation of discovery docs and information 1.0 Prepare draft letter to counsel re wholesale designation of documents .7	400.00/hr	760.00
9/13/2020	e-mail from and to Martina Vandenberg .1	400.00/hr	40.00
9/14/2020	translating documents 2	75.00/hr	150.00
9/16/2020	Track and download tracking from USPS.com .2 No charge	75.00/hr	NO CHARGE
9/17/2020	Receive and review Returned US Ex Rel Lesnik amended motions from HRID-d.o.o.  Translate documents 2.	400.00/hr  75.00/hr	NO CHARGE  150.00

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		<u>Rate</u>	<u>Amount</u>
9/17/2020	Track and download tracking from USPS.com-research correct address for HRID-Mont d.o.o. 1.75	75.00/hr	131.25
	call with Martina Vandenberg .5	400.00/hr	200.00
	direct saving records of mailing and service of motions .1	400.00/hr	40.00
9/18/2020	Remail amended motions for HRID-Mont d.o.o. .25	75.00/hr	18.75
	e-mail from and to Odvetnik Divjak .1	400.00/hr	40.00
9/20/2020	calls with Gregor .5	400.00/hr	200.00
9/21/2020		400.00/hr	40.00
	Tracking Amended Motions via USPS .1	75.00/hr	7.50
	save e-mails with Gregor, Odvetnik Divjak, Stjepan and Danijel .2	400.00/hr	160.00
	save e-mail to Martina Vandenberg .1		
	Discussion with staff re status, and re preparing declaration, re status of mailing and service of motions to overseas defendants .1		
	e-mails to and from Odvetnik Luka Divjak, review allegation by Vuzem, review settlement agreement and release, make searchable, e-mail to Divjak .1 (partially charged)	400.00/hr	40.00
9/22/2020	Tracking Amended Motions via USPS .1	75.00/hr	7.50
	receive e-notice of motion, and Motion by D2N to set aside default; print; review; calendar due dates .3	400.00/hr	120.00
	discuss with staff scanning and noting attempted service and mailing addresses, re-direct service to addresses known to be good from prior successful mailing or personal service .1	400.00/hr	40.00
9/23/2020	Tracking Amended Motions via USPS .1	75.00/hr	7.50

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		<u>Rate</u>	<u>Amount</u>
9/24/2020	[REDACTED] f 5	75.00/hr	375.00
	Receive and review CA Sectary of State- returned amended motions	400.00/hr	40.00
	Tracking Amended Motions via USPS .3	75.00/hr	22.50
	[REDACTED]	400.00/hr	960.00
	Complete for service and notification letter to attorneys for Eisenmann regarding challenge to confidentiality designation 2.0		
9/25/2020	Tracking Amended Motions via USPS and email all pleadings to D2N 2.1	75.00/hr	120.00
	review docket for accuracy and completeness of pleadings, direct revisions to supplemental proof of service of pleadings .2	400.00/hr	200.00
	[REDACTED]		
	Discuss status of service on Slovenian entities .1		
	Review updated proof of service .1		
9/28/2020	[REDACTED]	400.00/hr	40.00
	Tracking Amended Motions via USPS .1	75.00/hr	7.50
	direct saving pdf file for each delivery abroad .1	400.00/hr	40.00
9/29/2020	Receive and review Returned Amended Motions from ISM Vuzem USA, Inc. Las Vegas	400.00/hr	40.00
	calls with Stjepan Papes .2	400.00/hr	80.00
9/30/2020	[REDACTED]	400.00/hr	40.00
	calls with Stjepan Papes 2	400.00/hr	360.00
	[REDACTED]		




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	<u>Rate</u>	<u>Amount</u>
Evaluate proof required to oppose motion .2		
E-mail to attorney Divjak .2		
E-mail to Sagi-Belcar .1		
E-mail to Stjepan .1		
10/1/2020 Tracking Amended Motions via USPS .1	75.00/hr	7.50
Download pleadings from pacer, save to server .1	75.00/hr	7.50
Translate documents 3.	75.00/hr	225.00
attempted calls to Divjak .1	400.00/hr	1,040.00
Sort out prior filed pleadings, declarations and exhibits re D2N, save for exhibits .5		
Direct machine translation of service documents from Fokus, d.o.o. .2		
Direct staff to save internet confirmations of mailing and receipt of motions .1		
Prepare draft declaration for Radmilo Bozinovic .8		
Prepare proposed supplemental declaration of Divjak .7		
Revise draft declaration of Divjak .1		
E-mail to Divjak .1		
10/2/2020 e-mail from Divjak, save attachment .1	400.00/hr	120.00
Prepare to file Divjak Decl in opposition to D2N motion .1		
Save e-mails .1		
	400.00/hr	40.00
10/4/2020 review calendar, e-mail to counsel for Eisenmann .1	400.00/hr	1,640.00
Review briefs and research re subject matter jurisdiction, view facebook or oral arguments in coerced labor claim, save memos 7		
		

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		<u>Rate</u>	<u>Amount</u>
			
	Review Ratha v Phattana Seafood oral argument notes; E-mails with counsel on appeal in Ratha v Phattana Seafood		
	.1		
	E-mail from Papes re collections		
	.1		
	Research re collections		
	.5		
	E-mails with counsel for Eisenmann re meet and confer		
	.1		
10/5/2020	Locate and translate documents		142.50
	1.5	75.00/hr	
	Organize files		
	4.		
	Locate and translate documents		142.50
	1.5	75.00/hr	
	Organize files		
	4.		
	save docs and e-mails for meet and confer with attorneys Bernay and Holtzman		1,120.00
	.1	400.00/hr	
	Further e-mails to schedule call, calendar same		
	.1		
			
	Prepare memo indexing Eisenmann production, prepare memo of documents not produced		
	.2		
	Call with counsel for Eisenmann		
	1.0		
	prepare memo to file		
	.2		
	Prepare confirming e-mail		
	.1		
	E-mail from Bozinovic		
	.1 (no charge)		
10/6/2020	Tracking Amended Motions via USPS		525.00
	Location documents for exhibits to WCD Decl, prepare to e file WCD dec, Divjek dec and POS, MPA- TOC and TofA	75.00/hr	
	7		
		75.00/hr	525.00

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	<u>Rate</u>	<u>Amount</u>
10/6/2020 [REDACTED]	400.00/hr	3,880.00

save to file Divjak Decl

.1

E-mail from Gregor

.1

Multiple e-mails to and from translator Bozinovic and call with Bozinovic

.3 (partially charged)

Revise proposed declaration for Bozinovic

.2

Receive e-mail and save signature

.1

Revise and complete penultimate draft of MPA

1.5

Revise and complete penultimate draft of Declaration

.5

Discuss with staff organization of exhibits for attachment to declaration

.1

Prepare initial draft of administrative motion, proof of service, and proposed  
Order for potential motion to file under seal

1.0

10/7/2020

400.00/hr

640.00



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	<u>Rate</u>	<u>Amount</u>
		
10/7/2020 e-mail from Gregor, translate e-mail re disability claim, review Slovenian Disability initial reviewer decision, locate medical records, e-mail to Gregor .5	400.00/hr	200.00
10/8/2020 Receive and review Returned amended motions from ISM Vuzem USA Inc c/o Branko Tomas PO Box	400.00/hr	40.00
Tracking Amended Motions via USPS .1	75.00/hr	7.50
Organize Pleadings, Discovery, Correspondence, Client docs, Atty Notes, Atty Research 5.	75.00/hr	375.00
review status of mailing service of amended motion for default judgments; direct scan of returned envelopes, and saving mailing information from USPS website .1	400.00/hr	120.00
Research re jurisdiction, memo to file of law and citations 1		
		
10/9/2020 Tracking Amended Motions via USPS .1	75.00/hr	7.50
e-mails from Gregor, e-mail to Gregor attaching medical records including referring to key words and phrases for head injury and distress .3	400.00/hr	120.00
e-mail from Bozinovic .1	400.00/hr	40.00
10/12/2020 e-mail from Gregor re loan for disability evaluation .1	400.00/hr	40.00
10/13/2020 Receive and review Returned amended motions that were sent on 8/28/2020. Returned from ISM Vuzem- unclaimed from Slovenian Post Office Tracking: CJ452838379US	400.00/hr	40.00

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		<u>Rate</u>	<u>Amount</u>
10/13/2020	[REDACTED]	400.00/hr	80.00
10/14/2020	[REDACTED]	400.00/hr	40.00
	Tracking Amended Motions via USPS 1	75.00/hr	75.00
	e-mail to attorney Divjak re service documents and D2N motion; machine translate into Slovenian .2	400.00/hr	80.00
10/16/2020	Receive and review Declaration of Mark West ISO Deft Eisenmann Corp Notice to Motion and Motion to Retain Confidentiality Designations EFC 524-2  Declaration of Aaron M Bernay ISO Deft Eisenmann Corp Notice to Motion and Motion to Retain Confidentiality Designations EFC 524-1  Proposed Order Granting Deft Eisenmann Corp Notice to Motion and Motion to Retain Confidentiality Designations EFC 524-3  Deft Eisenmann Corp Notice to Motion and Motion to Retain Confidentiality Designations EFC 524  receive yesterday's late filed motion by Eisenmann to retain confidentiality, Declaration of Bernay and of West and proposed Order; calendar .1	400.00/hr	40.00
10/18/2020	call with Papes .3	400.00/hr	120.00
10/19/2020	review stipulated protective order, analyze language of challenging confidential designation .1 Review Eisenmann Answer to complaint; analyze same; prepare insert to MPA .2 Research re citizenship authorities, memo to file .2 Research re personal jurisdiction, memo to file .2 Research re protective order, memo to file .1	400.00/hr	320.00
10/23/2020	research re protective orders .1	400.00/hr	40.00

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		<u>Rate</u>	<u>Amount</u>
10/28/2020	Draft shells of MPA, Dec, Admin Mtn to file under seal, Proposed order, POS in response to Eisenmann 1.5	75.00/hr	112.50
	locate and save e-mails to support motion to compel compliance with settlement by production .2 Identify issues for confidentiality, review Orders .2 Prepare draft administrative motion, prepare draft MPA in opposition to motion to designate as confidential; complete penultimate draft unredacted declaration re designation of all documents as confidential 1.2	400.00/hr	640.00
10/29/2020	Update WCD Dec w exhibit info, POSs & assist w/ MPA 2.7	75.00/hr	202.50
	evaluate drafts .2 Research lack of confidentiality for documents concerning criminal or prohibited conduct, memo to file .3 complete Memorandum and Declaration in opposition to Eisenmann motion to retain confidentiality designation 6.5 Direct cover pages for exhibits for filing .1 Prepare administrative motion to file under seal 1.0 Create redacted and unredacted copies of MPA and of Declaration .7 Prepare proposed order on administrative motion to file under seal .3 Prepare proof of service .1 E-mail to counsel .1	400.00/hr	3,320.00
10/30/2020	receive e-notices of filing, download, save and print pleadings; print copy for court and direct delivery of chambers copies .1 (partially charged)	400.00/hr	40.00
11/3/2020	prepare requests to enter default against [REDACTED] Vuzem USA, Inc., ISM Vuzem USA, Inc., locate attachments for declarations 3.0	400.00/hr	1,200.00
	receive and save yesterday's filing by Eisenmann of declaration and proposed Order to file under seal .1	400.00/hr	40.00


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		<u>Rate</u>	<u>Amount</u>
11/6/2020	Receive and review Defendant Eisenmann Corporation's Reply in Support of Motion to Retain Confidentiality Designations- EFC 529	400.00/hr	40.00
	review Eisenman reply in support of motion to retain confidentiality .2	400.00/hr	80.00
11/9/2020	e-mail from Gregor .1	400.00/hr	40.00
11/12/2020	Draft MPA ISO enforcement of settlement, dec WCD, supp dec WCD, POS .6	75.00/hr	45.00
	Worked on MPA 1.	75.00/hr	75.00
	prepare draft motion to compel enforcement of settlement 1.0	400.00/hr	480.00
	Prepare declaration .2		
11/16/2020	Receive and review Returned from HRID-Mont- unclaimed	400.00/hr	40.00
	Spreadsheet for mailing log 1.5	75.00/hr	112.50
	Worked on shells for documents supporting Motion to Compel 2.	75.00/hr	150.00
	receive e-notice re zoom appearance; add note to calendar .1	400.00/hr	40.00
11/17/2020	Spreadsheet for mailing log, Memo & decl of shipment history on Amended Default Motions 2.7	75.00/hr	202.50
	direct update of service spreadsheet .1	400.00/hr	560.00
	Review Material Term Sheet .1		
	Prepare draft declaration in support of motion to compel enforcement of settlement .8		
	Locate and save docs and draft letter for exhibits to decl .2		
	Discuss with staff preparing proofs of service for all US and foreign mailing .2		
11/18/2020	decl of shipment history on Amended Default Motions 1.9	75.00/hr	142.50

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	<u>Rate</u>	<u>Amount</u>
11/18/2020 Prepared Exhibit List 1.0	75.00/hr	75.00
continue to add to MPA in support of motion to compel enforcement of settlement .6	400.00/hr	320.00
Direct and Review staff completed lettered exhibits from source folders of documents .2		
11/19/2020 TOC & TOA for MPA ISO MTC Enforcement of Settlement & drafts for underseal filing, exhibit coversheets 2.4	75.00/hr	180.00
Add Exhibit list to WCD Declaration, review and add to Table of Authorities for Motion to compel 1.2	75.00/hr	90.00
save revised draft declaration with updated exhibits list .1	400.00/hr	1,120.00
Research re confidentiality in cases involving settlement agreements .1		
Direct exhibit organizing and cover pages for exhibits .1		
Identify and save exhibits and subexhibits .1		
Add to penultimate draft of decl in support of motion to compel enforcement of settlement 1.0		
Prepare penultimate draft of MPA 1.0		
Prepare initial draft of administrative motion to file under seal re mtn to compel enforcement of settlement .4		
11/20/2020 TOC & TOA for MPA ISO MTC Enforcement of Settlement & drafts for underseal filing, exhibit coversheets, combine exhibits in Dec and finalize tables in MPA .5	75.00/hr	37.50
go to and save Docket .1	400.00/hr	1,240.00
		
Add to and complete declaration in support of motion to compel enforcement of settlement 2.0		
Add to MPA in support of motion .5		


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	<u>Rate</u>	<u>Amount</u>
11/22/2020 check EFC/Pacer for US Ex Rel Lesnik info on hearing .1	400.00/hr	40.00
11/23/2020 editing mpa 1.0	75.00/hr	75.00
TOC & TOA for MPA ISO MTC Enforcement of Settlement & drafts for underseal filing, exhibit coversheets, combine exhibits in Dec and finalize tables in MPA 2.9	75.00/hr	217.50
organize file in preparation for hearing on Eisenmann Motion to Retain Confidential Designation .6 Calendar .1 Complete motion to enforce settlement 2.0 Review corrected tables, complete for filing motion .2 Review and revise, and prepare for filing declaration .8 E-mails with court clerk to obtain hearing date .1 Calendar hearing, revise notice dates .2 Review redactions to exhibits .4 Revise declaration; review MPA; revise and complete administrative motion to file under seal; complete proofs of service; complete sorting redacted and unredacted exhibits; complete review and finalizing redactions to brief; organize all pleadings for filing 3.0 Complete to file declaration with redacted exhibits	400.00/hr	2,960.00
11/24/2020 Prepare plds for efiling .2	75.00/hr	15.00
Receive and review Order Granting in part Defendant Eisenmann Corporation's Notice of Motion and Motion to Retain Confidentiality Designations	400.00/hr	40.00
prepare notes in preparation for hearing 1.0 Prepare for and attend hearing on Eisenmann Motion to Retain Confidential Designation; via Zoom 1.0 Receive minute order .1 Review ready to E-file mtn to compel enforcement of settlement .1 Review Order consistent with courts questions during hearing re	400.00/hr	1,440.00

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		<u>Rate</u>	<u>Amount</u>
	confidentiality of documents		
	.1		
	Revise administrative mtn to file under seal to be consistent with language of Judge Van Keulens Order		
	.2		
	Revise proposed Order to file under seal		
	.1		
	Review, execute and prepare to file motion and administrative motion		
	.1		
	Complete redacted declaration, redacted exhibits, and redacted motion		
	.7		
	E-mail to Bernay and Holtzman		
	.1		
	E-mails with Bernay re providing copies to Foran		
	.1		
11/25/2020	Prepare declaration for Judges copy, exhibits, redaction, etc., personally delivered to chambers	75.00/hr	281.25
	3.75		
	Assisting with chambers copy for Judge Koh		138.75
	1.85	75.00/hr	
	save e-mails		160.00
	.1	400.00/hr	
	receive e-filed pleadings, save, print, calendar		
	.1		
	E-mail to Foran		
	.1		
	Search and confirm filed under seal pleadings including declaration with exhibits		
	.1		
12/1/2020	review Eisenmann declaration to support confidentiality		120.00
	.1	400.00/hr	
	Review confidentiality agreement		
	.1		
	E-mail to Foran		
	.1		
12/3/2020			480.00
		400.00/hr	
	e-mail from Papes; save documents from hyperlink; review same in Slovenian and Croatian, and in English		
	1.2		
12/4/2020	review calendaring		80.00
	.1	400.00/hr	
	E-mail to Stjepan and Gregor		
	.1		

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	<u>Rate</u>	<u>Amount</u>
12/7/2020 e-mail to Gregor re disability .1	400.00/hr	40.00
12/8/2020 review declaration re service of amended motions .2	400.00/hr	80.00
12/9/2020 Receive and review Eisenmann Corporation's Administrative Motion for Leave to File Under Seal Opposition to Motion to Compel Enforcement of Settlement and Supporting Declarations EFC 536; Declaration of Aaron M. Bernay In Support of Eisenmann Corporation's Administrative Motion for Leave to File Under Seal Opposition to Motion to Compel Enforcement of Settlement and Supporting Declarations EFC 536-1; [Proposed] Order Granting Eisenmann Corporation's Administrative Motion to File Under Seal Opposition to Motion to Compel Enforcement of Settlement and Supporting Declarations EFC 536-2; Eisenmann Corporation's Opposition to Plaintiffs Gregor Lesnik and Stjepan Papes's Motion to Compel Enforcement of Settlement EFC 563-3; Eisenmann Corporation's Opposition to Plaintiffs Gregor Lesnik and Stjepan Papes's Motion to Compel Enforcement of Settlement EFC 536-4; Declaration of Aaron M. Bernay In Support of Eisenmann Corporation's Opposition to Plaintiffs' Motion to Compel Enforcement of Settlement EFC 536-5 Declaration of Aaron M. Bernay In Support of Eisenmann Corporation's Opposition to Plaintiffs' Motion to Compel Enforcement of Settlement EFC 536-6; Declaration of Cassiano Fabris In Support of Eisenmann Corporation's Opposition to Plaintiffs' Motion to Compel Enforcement of Settlement EFC 536-7 Declaration of Cassiano Fabris In Support of Eisenmann Corporation's Opposition to Plaintiffs' Motion to Compel Enforcement of Settlement EFC 536-8 Certificate of Service EFC 536-9; Eisenmann Corporation's Opposition to Plaintiffs Gregor Lesnik And Stjepan Papes's Motion to Compel Enforcement of Settlement EFC 537 Declaration of Aaron M. Bernay In Support of Eisenmann Corporation's Opposition to Plaintiffs' Motion to Compel Enforcement of Settlement EFC 537-1 Declaration of Cassiano Fabris In Support of Eisenmann Corporation's Opposition to Plaintiffs' Motion to Compel Enforcement of Settlement EFC 537-2  Receive and review Eisenmann motions to file under seal, opposition to motion to enforce settlement with declarations; e-mail from counsel attaching unredacted copies of declarations and opposition; review same .4	400.00/hr	160.00
12/11/2020 evaluate whether to respond to or oppose Eisenmann motion to file under seal .1	400.00/hr	40.00



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		<u>Rate</u>	<u>Amount</u>
12/11/2020	review declaration re service of amended motions for default judgments, revise language, direct completion of declaration and of organized exhibits to declaration .3	400.00/hr	120.00
12/14/2020	begin to prepare outline for reply in support of motion to compel enforcement of settlement; begin to prepare reply brief 2.4	400.00/hr	960.00
12/15/2020	evaluate objections to evidence; research and locate rulings and orders on evidentiary objections; conduct investigation into Cassiano Fabris, locate LinkedIn, save posting, save posting as exhibit 1.0 evaluate additions to reply MPA, insert facts and cited evidence into MPA 2.2 research FRE for evidentiary objections, review civil local rules, review various district court orders from research, memo to file 1.0 Insert evidentiary objections into Reply MPA .4 research care, custody and control, memo to file; add to reply MPA 1.2 Direct staff to update tables .1 Review draft reply, re-arrange text thematically, correct grammar and citations, complete penultimate draft reply MPA 1.0 Review and correct reply MPA, add to text, complete .5 Prepare reply declaration .4 Complete to file reply declaration; compile exhibit in pdf for reply .2 Complete to file reply MPA .2 Evaluate filing under seal .1 Prepare redacted reply MPA .3 E-file reply Decl and redacted reply MPA .1 Prepare administrative motion to file under seal; revise, correct, complete 1.0 Prepare proposed Order .2 Prepare proof of service, revise to add reply MPA and reply Decl .2 Complete to file admin motion, order and proof of service .1 E-file administrative motion .1	400.00/hr	4,160.00

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		<u>Rate</u>	<u>Amount</u>
	E-mail to counsel unredacted reply MPA .1		
12/15/2020	mark citations, and rules of evidence, update table of authorities and cases .5	75.00/hr	37.50
12/16/2020	receive and save e-notices of filing, filed reply MPA and Decl and admin motion, print for file copy, print for copy for court .3 Review and complete for filing Supplemental Decl of DelGiudice re service of amended motions for default judgments .2 E-file proof of service, receive e-notice of filing, print for file copy and print copy for court .2	400.00/hr	280.00
	Organized all the pleadings relating to Motion to Compel Enforcement of Settlement and prepared copy of Judges chambers for Judge Koh, personally deliver to Judge Koh 1.5	75.00/hr	112.50
12/21/2020	[REDACTED]	400.00/hr	40.00
12/28/2020	[REDACTED]	400.00/hr	200.00
12/30/2020	receive clerks notice vacating January 7 hearing; revise calendar .1 E-mail to Gregor, Stjepan and Danijel .1	400.00/hr	80.00
1/13/2021	call with Ron Slates re collections issues .1	400.00/hr	40.00
	Check for status of CourtCall, memo to file .1	75.00/hr	7.50
1/16/2021	research re discovery .1	400.00/hr	40.00
1/19/2021	e-mails with Luka Divjac .1 E-mail from and to Stjepan Papes .1	400.00/hr	80.00
1/21/2021	receive Order .1 Review case filings, prepare memo for inserts; Prepare draft Joint Case Management Statement; e-mail to counsel 1.0 E-mails with counsel for Eisenmann	400.00/hr	760.00

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	<u>Rate</u>	<u>Amount</u>
.1 E-mails from counsel for Eisenmann and from [REDACTED] revise proposed Joint CM Statement, e-mail to counsel		
.3 E-mail from counsel for [REDACTED] save revision, e-mail to counsel for Tesla and Eisenmann		
.1		
1/22/2021 e-mails from Foran and Bernay		240.00
.1 Revise calendar re zoom call with Luka Divjac	400.00/hr	
.1 Complete to file Joint Case Management Statement		
.2 E-file same; receive confirmation of filing, save e-notification and filed CM Statement		
.1 e-mails with Luka Divjac re zoom call; calendar same		
.1		
Receive and review Joint Case Management Conference Statement	400.00/hr	40.00
1/24/2021 zoom call with Luka Divjac re collections		360.00
.9	400.00/hr	
1/27/2021 [REDACTED]		200.00
[REDACTED]	400.00/hr	
Call with Papes		
.3		
1/31/2021 e-mail to attorney Divjak		120.00
.1 E-mail to clients	400.00/hr	
.1 E-mail from and to Stjepan		
.1		
2/1/2021 e-mails with Odvetnik Luka Divjak re collections services		160.00
.1 E-mail to clients	400.00/hr	
.1 Save e-mails with clients and counsel		
.1 Call with Stjepan		
.1		

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		<u>Rate</u>	<u>Amount</u>
2/1/2021	save e-mails with clients .1	400.00/hr	40.00
2/3/2021	<div style="background-color: black; width: 300px; height: 20px;"></div> receive e-mail from counsel, save and review attached proposed Joint Case Management Statement, add text; e-mail to counsel .3	400.00/hr	160.00
	e-mail from Lesnik; e-mail from Papes; call with Papes, e-mails with Papes; e-mail to and from Danijel about Slovenia court order to deny prosecution of Gregor .3	400.00/hr	120.00
2/4/2021	e-mail from counsel for D2N; review and complete to file Joint Case Management Statement, e-file same .3	400.00/hr	120.00
	Receive and review Joint case management conference statement	400.00/hr	40.00
2/5/2021	e-mail to clients re status .2	400.00/hr	80.00
	Receive and review Order on administrative motion for leave to file under seal	400.00/hr	40.00
2/7/2021	e-mail to counsel re 1099 .1	400.00/hr	40.00
2/8/2021	receive e-notice of and Order on administrative motion to file under seal - confidentiality; save, print, review .1 E-mail to Holtzman and Bernay .1	400.00/hr	80.00
	Receive and review Order on administrative motion for leave to file under seal	400.00/hr	40.00
2/9/2021	e-mails with Luka Divjac .1 E-mail from attorney Holtzman .1 Review wire information, e-mail to Divjak .1 Receive e-notification of vacating hearing dates and rescheduling, save and print Minute Order, update calendar .1	400.00/hr	160.00
	Receive and review notice of electronic filing of clerk's notice vacating pretrial conference and continuing case management conference	400.00/hr	40.00

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		<u>Rate</u>	<u>Amount</u>
2/10/2021	[REDACTED]	400.00/hr	40.00
	[REDACTED]	400.00/hr	40.00
2/11/2021	receive further e-notices re Order on motions for default judgment; save .1 E-mails from and to Papes .1 E-mails to clients .1 E-mail to Divjak .1	400.00/hr	160.00
2/12/2021	E-mail from and to Divjak .1	400.00/hr	40.00
	Receive and review Order granting administrative motion to seal	400.00/hr	40.00
2/13/2021	receive e-notification of, download, save and review Order on Administrative Motion to File Under Seal .1 Prepare e-mail to defense counsel preparatory to filing further amended motion .1	400.00/hr	80.00
2/19/2021	e-mails from and to Luka Divjak; update calendar .1	400.00/hr	40.00
2/21/2021	zoom call with Luka Divjak .3	400.00/hr	120.00
2/23/2021	review Order, locate English and Slovenian versions of statutes; prepare draft of e-mail to Divjak re translation of Slovenian statutes regarding service .2 Review Order, memo re further actions required by Order .2	400.00/hr	160.00
2/24/2021	determine what issues need assistance from Divjak; begin draft e-mails to Divjak with attachments .3 E-mail to Divjak re translation of Slovenian statutes regarding service .1	400.00/hr	360.00
	[REDACTED]		

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		<u>Rate</u>	<u>Amount</u>
	Prepare outline for MPA .2		
2/25/2021	review e-mail from Luka Divjak, begin draft declaration .3	400.00/hr	120.00
3/6/2021	add information for outline of things to complete renewed motions .3	400.00/hr	120.00
3/16/2021	e-mails from counsel, save attachment .1 Revised proposed Joint CMC Statement .8 [REDACTED]	400.00/hr	400.00
3/17/2021	review multiple versions of revised proposed Joint CMC Statement, research local rules, further e-mails with counsel; prepare alternative proposed Joint CMC Statements; review defendant Eisenmanns further proposed Joint CMC; Complete and file Joint CMC Statement 1.0	400.00/hr	400.00
3/18/2021	Review Order on prior motions for default judgments, review notes, review e-mails from Divjak, review draft of and complete proposed Declaration of Luka Divjak 1.0 Locate internet information for translator Ana Rostohar, prepare draft declaration .6 Locate prior draft of machine translation of statute, correct and make changes to a Word version for text, content, and format .5 (partially charged) E-mail to attorney Divjak .1 E-mail to Bojic .1 [REDACTED]	400.00/hr	920.00
	[REDACTED]	400.00/hr	40.00
3/19/2021	[REDACTED] Receive and review Order continuing CMC; print; calendar .1  Receive and review Clerk's Notice of Continuing Case Management Conference	400.00/hr	80.00
		400.00/hr	40.00
3/22/2021	e-mail from and to Bojic re translation .1 [REDACTED]	400.00/hr	200.00

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		<u>Rate</u>	<u>Amount</u>
	.1 Save Divjak e-mail and Decl, combine with exhibits, save to file, e-mail to Divjak		
	.2 Receive e-notice of Order; Save Order vacating hearing; update calendar		
	.1		
3/22/2021	locate and save all translated documents		75.00
	1.	75.00/hr	
3/23/2021	review prior filed declarations for exhibit cover pages and completeness		440.00
	.3 Review prior filed motions for default judgments, evaluate changes and additions	400.00/hr	
	.5 E-mail to clients re status of motions and of service		
	.2 E-mails from and to Bojic re translations by Ana Rostohar		
	.1		
3/24/2021		400.00/hr	920.00
	review searchable documents produced by Tesla, sort and save documents showing each defendant involvement		
	1.0 		
	Prepare e-mail to clients		
	.3 Prepare memo of to do actions for renewed motions		
	.2 E-mails from and to Stjepan re known facts		
	.2		
3/25/2021	call with Papes		1,480.00
	1.5 Revise proposed declaration of Papes	400.00/hr	
	2.0 E-mail to Papes		
	.2		
3/26/2021	call from Papes		320.00
	.1 Receive and Review e-mail from Papes, revise draft declaration, save	400.00/hr	
	.5 E-mail to Papes		
	.1		

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	<u>Rate</u>	<u>Amount</u>
E-mail to Danijel .1		
3/26/2021 Receive and review Declaration of Ana Rostohar	400.00/hr	40.00
3/27/2021 Receive and review e from Papes re declaration	400.00/hr	40.00
3/28/2021 review and revise draft Renewed Motion for Default Judgment on Coerced Labor Claim, including research Schwarzenegger opinion, cases cited in opinion, and cases referring to opinion 2.0	400.00/hr	800.00
3/29/2021 locate exhibits from prior declarations of Papes, Lesnik and Dresser, save to draft folder for renewed motions .3 Compare new exhibits for WCD declaration with documents previously used as exhibits .2 Locate documents filed under seal, compare to February 8, 2021, and November 24, 2020 Orders re filing under seal, review documents produced by Eisenmann filed under seal, locate e-mails with counsel for Eisenmann; prepare e-mail to Bernay and Holtzman .7 locate Foran e-mail re filing under seal; label intended further Tesla entrance records documents; e-mail to Foran .2 Receive e-mail from Papes, review attachment .1 Call to Stjepan .1 Convert declaration to pdf, extract signature page, save; e-mail to Stjepan .1 E-mail from Stjepan .1 Evaluate all filed declarations and requests for judicial notice for procedure, comparison to courts Order, review local rules re slip sheets - required, and bookmarks - not required, and need for filing same or similar declarations to comply with procedural and substantive requirements of courts Order 4.5 E-mails from and to Bernay and Holtzman re: documents to file under seal .2 Receive Papes signature page by late night e-mail .1	400.00/hr	2,640.00
3/30/2021 evaluate changes for Lesnik declaration, exhibits for declaration .5 Complete revised Lesnik declaration .4 E-mail to Gregor .2	400.00/hr	1,120.00



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	<u>Rate</u>	<u>Amount</u>
Texts to and from Danijel		
.1		
Update list of supporting evidence for jurisdiction		
.5		
Discuss with staff slip sheets for exhibits		
.1 (partially charged)		
combine declaration with attachments for Rostohar declaration		
.1		
Review Papes signature page; call to Stjepan re alignment of pages, call with Stjepan, convert declaration to pdf and extract signature only page, e-mail to Stjepan, e-mail from Stjepan		
.5		
Review exhibits with cover page, discuss with staff revisions and redactions		
.1 (partially charged)		
Combine declaration with attachments for Papes declaration		
.1		
Prepare list of supporting evidence with reference to docket numbers		
.2		
3/31/2021 Locate filed redacted and unredacted exhibits, cross check		150.00
2.	75.00/hr	
discuss with staff slip sheets for exhibits for request for filing under seal		3,600.00
.1	400.00/hr	
prepare draft administrative motion to file under seal		
2.0		
prepare draft Request for Judicial Notice		
2.0		
review documents and exhibits for proposed Lesnik declaration, exhibits for declaration		
.5		
Complete revised Lesnik declaration		
.4		
E-mail to Gregor		
.2		
Texts to and from Danijel		
.1		
Update list of supporting evidence for jurisdiction		
.1		
E-mail from Holtzman		
.1		
Compare documents attached to Holtzman e-mail; Sort and save exhibits to file under seal		
.2		
Combine signature with pdf copy of declaration, combined with exhibits, save to file declaration of Rostohar		
.2		
Save to file Papes declaration		
.1		
Begin to prepare text for administrative motion to file brief in excess of 25 pages		
.3		

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	<u>Rate</u>	<u>Amount</u>
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Review, revise and save updated caption

.1

Prepare checklist for exhibits

.2

Complete penultimate draft of administrative motion to file excess page brief

.3

Prepare proposed Order to file excess page brief

.2

Review civil local rule 7-3, complete to file administrative motion to file excess page brief

.2

Add to and update memo of jurisdictional facts showing personal jurisdiction of this Court over each of the defendants, with reference to exhibits

1.4

Add to draft request for judicial notice

.3

4/1/2021 Review previous Motions and exhibits, Slip sheet exhibits

2.

75.00/hr

150.00

review all prior filed Dresser declarations, confirm which are not slip sheeted for exhibits; identify which need to be updated

400.00/hr

1,160.00

.5

Prepare draft Dresser Declaration

2.0

discuss with staff exhibits

.1

Text to Gregor

.1

With staff assistance locate, save and name exhibits for Dresser Declaration

.2

4/2/2021 e-mail from Gregor, receive Gregor signature, use to complete to file declaration

400.00/hr

1,160.00

.1

Receive and pay invoice for translations

.1 (no charge)

sort and save documents for exhibits to Dresser Declaration

1.5

Add to Dresser Declaration in support of renewed motions for default judgments

1.0

Review exhibits, prepare memo re needed slip sheets

.3

4/3/2021 work on preparing MPA in support of three renewed motions for default judgments

400.00/hr

2,400.00


4.0

Research authorities for personal jurisdiction analysis

2.0

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		<u>Rate</u>	<u>Amount</u>
4/4/2021	work on preparing MPA in support of three renewed motions for default judgments 6.0 Complete proposed declaration of Travancic, e-mails to and from Travancic, call with Travancic .6	400.00/hr	2,640.00
4/5/2021	Assist with finalizing exhibits for Amended Motions and Motion Under Seal, prepared for filing 4.	75.00/hr	300.00
	sort and save as additional exhibits welcome letters and tesla entry logs .3 Research and save formal internet notifications, reservations, and authoritative letters re Hague Convention on service abroad; save as exhibits 1.0 Research and save Brotto, LLC articles, license and insurance documents .5 calls with Travancic, receive signed declaration .1	400.00/hr	4,160.00
			
	Discuss with staff investigation re Branko Tomas .1 Discuss and review with staff update exhibits for declarations with cover pages .1 Complete to file administrative motion to file under seal 1.2 Complete proposed Order .3 Prepare draft supplemental declaration under seal for unredacted copies of exhibits .6 Prepare table of exhibits .2 Complete penultimate draft of Dresser Declaration referencing redacted copies of exhibits 1.7 Memo of revised update text for MPA re personal jurisdiction .6 Prepare Administrative Motion to file excess page briefs 1.0 Prepare proposed Order .1 Review and revise proposed Administrative motion, Save motion to pdf, revise proposed Order, save to pdf, e-file administrative motion and proposed Order .2 Review and revise Declaration in Support of Renewed Motions .7 Review and revise under seal version of Declaration		

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	<u>Rate</u>	<u>Amount</u>
.3 Revise declaration to file in public record		
.2 Further research and update draft insert re personal jurisdiction		
.8 Memo for staff re further steps to file declarations		
.3		
4/6/2021 Assist with finalizing exhibits for Amended Motions and Motion Under Seal, prepared for filing	75.00/hr	600.00
8		
review declaration with exhibits, sorting into multiple volumes, index of exhibits, and cover pages	400.00/hr	3,280.00
.8 Prepare draft request for judicial notice; research judicial finding of fact compared with judicial notice, update and revise request for judicial notice		
.6 Complete Request for Judicial Notice with logically ordered categories of requests and documents related to each category		
1.0 Organize exhibits to attach to request for judicial notice, re-number to fit RJN supporting renewed motions for default judgments		
.5 Discuss with staff updated revisions to exhibits in support of RJN		
.1 Discuss with staff index of exhibits, sorting declaration into parts based on size limits for filing		
.1 (partially charged) continue research and update memo re personal jurisdiction		
2.2 Update and save to file Rostohar declaration with exhibits		
.1 Save information re Vuzem and Vuzem entities in chronological order to insert argument re personal jurisdiction, and re alter ego status		
1.7 insert text for different parts of MPA on renewed motion for default judgment on coerced labor cause of action 9 and 10		
1.0 Receive Order granting administrative motion to file excess page briefs; save		
.1		
4/7/2021 worked on exhibits 301 through exhibits 414 for Volume 1 of Declaration of WCD in Support of Plaintiffs and Relators Gregor Lesnik and Stejepan Papes' Renewed Motions for Default Judgments	75.00/hr	300.00
4.		
call with Papes, discuss revision, prepare final version; e-mail to Papes	400.00/hr	2,400.00
.3 Research cases citing to Schwarzenegger decision		
.2 Research authorities for corporations being citizens of states		

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	<u>Rate</u>	<u>Amount</u>
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.4  
Add to and revise draft Renewed Motion for Judgment for Coerced Labor

1.0  
Add to declaration

.4  
Call and e-mail to Vandenberg

.1  
Calls and e-mails with Ruth Silver Taube

.2  
Complete penultimate draft of Renewed Motion for Judgment for Coerced Labor

.2

Revised motion re Coerced Labor, removing tables, adding back tables, and updating and correcting tables

1.0

4/8/2021 Assisted in 3 motions, locate supporting exhibits, prepare and convert documents, renaming exhibits and saved to server, double check serve addresses  
8.

75.00/hr

600.00

locate and remove duplicate text from motions, save memo re same

.2  
Complete Renewed Motion for Judgment for Coerced Labor

400.00/hr

2,480.00

1.2

Complete to file Renewed Motion for Judgment for Coerced Labor

.3  
Complete to file Papes declaration

.2  
Complete to file Declaration in seven volumes, working with staff

.2 (partially charged)  
complete to file Lesnik declaration

.1  
Complete to file Request for Judicial Notice

.2  
Complete to file Travancic Declaration

.1  
Complete to file Divjak Declaration

.1

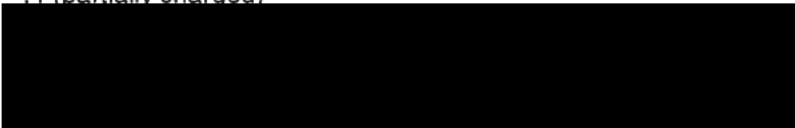
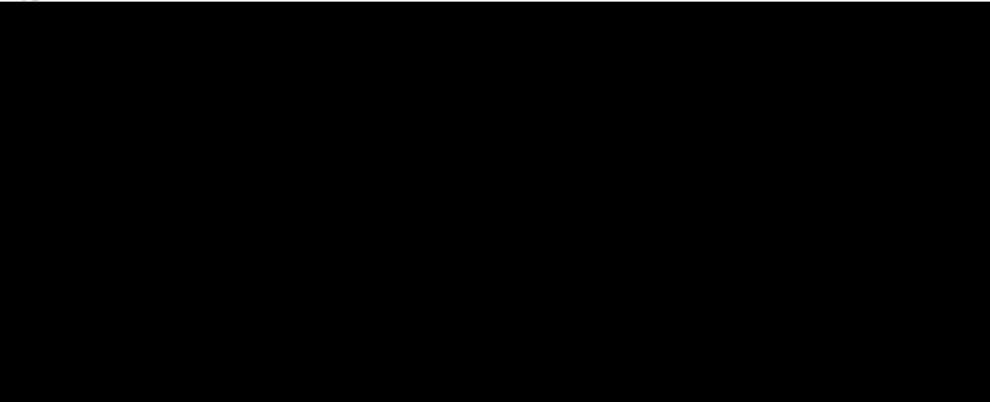


E-mail to Judge Kohs courtroom deputy and calendaring clerk re hearing dates; further e-mails regarding alternative hearing dates

.1

E-file and assist staff to e-file renewed motion for judgment on coerced labor


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	<u>Rate</u>	<u>Amount</u>
claims, Dresser Declaration volumes 1 to 7, Papes Declaration, Lesnik Decl, Travancic Decl, RJN, Divjak Decl, and Rostohar Declaration .4 (partially charged) 		
4/9/2021 Continued working on exhibits 9	75.00/hr	675.00
Receive and review invoice from Notice of Related Cases Under Civil Code LR 3-12; Administrative Motion to Consider Whether Cases Should be Related; Supporting Declaration; and Notice to Parties of Removal to Federal Court	400.00/hr	40.00
receive e-mail attachment of pleadings .1	400.00/hr	1,520.00
Receive notice of, download, and save Administrative Motion to relate cases, proposed Order and proof of service; state court proof of service re removal, .3 		
E-mails to clients re status of filing motions .2 		
4/10/2021 review declarations to file under seal, review administrative motion to file under seal, revise proposed motion 1.0	400.00/hr	400.00
4/11/2021 memo re exhibits to file under seal, locate exhibits for administrative motion and for attachment to declaration to file under seal; review and revise to complete administrative motion to file under seal, prepare for filing; prepare proposed Order, prepare to file; prepare for filing declaration to file under seal 2.0 	400.00/hr	2,480.00

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		<u>Rate</u>	<u>Amount</u>
			
	prepare drafts of proposed Orders		
	.5		
	Print and begin to sort copies for mailed service		
	1.0 (partially charged)		
	confirm declaration under seal not viewable in public record		
	.1		
	e-mail to counsel attaching copy of declaration filed under seal		
	.1		
4/12/2021	Gathered all documents for 11 defendants, prepared customs forms for all Slovenia, and England and prepared documents for service	75.00/hr	600.00
	8		
	complete to file all proposed orders on three renewed motions for default judgment	400.00/hr	1,920.00
	1.5		
	Locate information re Branko Tomas, discuss with staff investigation of potential addresses for Tomas		
	.2		
	Revise and complete proof of service of motions		
	.3		
	Organize and save proofs of service and proposed Orders for e-filing, prepare list		
	.1		
	Assist in e-filing		
	.1		
	assist in completing organization of all pleadings for service		
	.5		
	Assist in completing documents for postal service to foreign country citizens		
	.3		
	mail to post office		
	1.0 (level 3)		
	receive e-notice of filings		
	.1		
	save copies of filed pleadings		
	.2		
	Discuss with staff saving tracking information		
	.1		
	Prepare draft letter to Judge Koh		
	.2		
	E-mail to Judge Koh with attachments		
	.1		
	E-mail to clients re final filed status, attach renewed FLSA wages claims and all proposed order		
	.1		
4/13/2021	download, save and print filed proposed Orders, filed Proofs of Service	400.00/hr	120.00
	.1		
	Direct printing of copies for court		
	.1		

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		<u>Rate</u>	<u>Amount</u>
			
4/14/2021	Receive and review Declaration of Bernay in support of administrative Motion by plaintiff's for leave to file under seal supplemental declaration in support of plaintiffs renewed motions for default judgment; Order granting motion to relate Order re Case Management	400.00/hr	40.00
	discuss with staff information re new or additional address for HRID-Mont, d.o.o. and for Ivan Vuzem .1	400.00/hr	40.00
4/15/2021	 Supplemental Proof of Service for Plaintiffs and Relators Gregor Lesnik And Stjepan Papes' Renewed Motion for Default Judgment on Cause of Action 9 Trafficking and Coerced Labor Under TVPRA; and  Prepared documents for International shipping to Ivan Vuzem, gathered documents and prepared for delivery to Judges Chambers 4	75.00/hr	300.00
	discuss with staff making copies of pleadings for court; copies and supplemental service on new address for Ivan Vuzem .2	400.00/hr	80.00
4/16/2021	deliver to court drop box courtesy copies of pleadings for Judge Koh .3 Receive Amended Clerk Notice, save, print .1 Update calendar .1	400.00/hr	200.00
4/19/2021	Personally, delivered renewed motions to US Post Office .4 level 3	45.00/hr	18.00
	review draft supplemental proof of service of motions on Ivan Vuzem and new address; review, revise and execute same; e-file .3 E-mail from Divjak, review attached re-attempt at service (unclaimed) .1 E-mail to Stjepan and Gregor re status of unsuccessful service attempt .1	400.00/hr	200.00



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		<u>Rate</u>	<u>Amount</u>
4/20/2021	[REDACTED]	400.00/hr	40.00
	discuss with staff obtaining postal tracking history for served renewed motions		80.00
	.1 [REDACTED]	400.00/hr	
5/4/2021	discuss with staff status of and saving proof of mailing copies of motions for default judgments	400.00/hr	40.00
	.1		
5/10/2021	e-mail from counsel for Eisenmann; review draft Joint CMC Statement	400.00/hr	80.00
	.2		
5/11/2021	Receive and review Order granting in part and denying in part motion to compel enforcement of settlement; Order granting in part and denying in part motions to file under seal; Joint case management conference statement	400.00/hr	40.00
5/12/2021	Receive and review Eisenmann's opposition to plaintiff's motion to compel enforcement of settlement; clerks notice continuing Case Management Conference; Declaration of Aaron Bernay supporting opposition; and declaration of Cassiano Fabris supporting opposition	400.00/hr	40.00
	e-mails with counsel, revise draft Joint Case Management Statement; complete to file Joint CMC Statement	400.00/hr	400.00
	1.0		
5/13/2021	review and save defendant's opposition to motion to enforce settlement - memorandum, declaration of Bernay, declaration of Fabris	400.00/hr	280.00
	.2		
	receive Order on motion to compel enforcement of settlement; review same		
	.2		
	Receive Order re filing under seal		
	.1		
	Memo re Order for redactions		
	.1		
	E-mail to counsel for Eisenmann re what to file under seal		
	.1		
5/17/2021	receive e-notice of Order and Order on mtn to compel enforcement of settlement, download, save and review	400.00/hr	80.00
	.1		
	receive e-notice of Order and Order on application to file under seal, download, save and review		
	.1		




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		<u>Rate</u>	<u>Amount</u>
5/17/2021	create postage history in Excel from 2020 to 5/17/2021 .5	75.00/hr	37.50
5/19/2021	review in detail e-mail from Gregurec agent for service .1 	400.00/hr	160.00
	E-mail to Luka Divjak re requested collection .1		
5/20/2021	discuss with staff locating and saving USPS tracking information .1	400.00/hr	40.00
	Prepared tracking information on 12 international mailings, saved to server .9	400.00/hr	360.00
5/24/2021	Organize file 1.	400.00/hr	400.00
5/27/2021	Receive and review Reply to MPA's in support of motion to compel enforcement of settlement filed on 12/15/2020	400.00/hr	40.00
6/18/2021	Receive and review renewed motion sent to Ivan Vuzem on 4/19/2021 were returned damaged with a note from the San Francisco Post Office Network Distribution Center apologizing for the damage done to our shipment.	400.00/hr	40.00
6/23/2021	Review Entry for Defaults files, begin preparation for tracking for defendants for Supplemental Proof of Service 4	75.00/hr	300.00
	research local rules re Covid .2	400.00/hr	120.00
	Review and direct filing of supplemental proofs of service .1		
6/24/2021	Gather tracking information on all defendants relating to Entry of Default Judgment for Supplemental Proofs of service, prepare tracking information for exhibits, prepare cover pages, prepare Supplemental, save all to server, efile 3.	75.00/hr	225.00
	assist staff in gathering information for, prepare supplemental proof of service, and e-filing .1	400.00/hr	40.00
6/25/2021	receive e-notice of filing Supplemental Proofs of Service .1	400.00/hr	40.00
7/1/2021	receive e-notification of continuance of CM Conference, download and save, re-calendar .1	400.00/hr	40.00

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		<u>Rate</u>	<u>Amount</u>
7/14/2021	discuss with staff service attempts and return documents .1	400.00/hr	40.00
7/16/2021	research new standards for calculating meal and rest break pay; memo to file .1	400.00/hr	40.00
7/22/2021	Federal website to cross check filed pleadings and organized file 1.	75.00/hr	7.50
8/3/2021	e-mail to Stjepan, Gregor and Danijel regarding a Slovenian attorney and conference call in related Maslic matter; e-mail to Divjak re same .1	400.00/hr	40.00
8/4/2021	e-mail from Papes, e-mail from Divjak .1	400.00/hr	40.00
8/10/2021	Receive and review Clerk's notice vacating August 12, 2021 and August 19, 2021 hearings	400.00/hr	40.00
	receive, save, and review Order vacating hearing dates, e-mail to clients .1	400.00/hr	40.00
8/12/2021	e-mail to Divjak re status .1	400.00/hr	40.00
8/24/2021		400.00/hr	200.00
8/25/2021	e-mail from Stjepan, have translated, call with Stjepan .4	400.00/hr	1,360.00
			
	E-mail to clients .1		
	Review Order re motion to file under seal, locate unopened e-mail from defense counsel from May 13, compare counsel's request with Order, redact exhibits as noted, revise caption and signature based on Order, double check for accuracy as to counsel's requests, save in pdf, combine declaration with exhibits 1.8		
	E-mail to counsel .1		
	Call to counsel Holtzman .1		
			

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		<u>Rate</u>	<u>Amount</u>
			
8/25/2021	Download email from Papes, translated email .2	75.00/hr	15.00
8/26/2021	e-mail from Holtzman .1 Attempt to e-file revised declaration from Holtzman .1 Review and revise with redactions attachments to WCD declaration .4 E-mail to Holtzman .1 Discuss with staff service by mail 1	400.00/hr	400.00
			
	E-mail to clients .1  Review 3-year international reports from Stamps.com, Served 12 defendants, international and domestic, 	75.00/hr	187.50
	 2.5		
8/27/2021	e-mail from Holtzman .1 Attempt to e-file, call with ecf support, revise pdf document; re-save, file MPA, Reply MPA and Declaration per Order .2 Download, save and print e-notice and filed documents 1	400.00/hr	160.00
			
9/7/2021	Receive and review ISM Vuzem returned documents & letter from Secretary of State re Service	400.00/hr	40.00
9/8/2021	Receive and review confirming and tracking information from USPS	400.00/hr	40.00
9/17/2021	Receive and review order Granting in part and denying third motion for default judgment	400.00/hr	40.00
9/20/2021	receive e-notice of and Order on motion for default judgment on coerced labor claims, download and save, review .2 E-mail to clients	400.00/hr	160.00



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		<u>Rate</u>	<u>Amount</u>
	.1 E-mail from Stjepan .1		
9/21/2021	[REDACTED] E-mail from and to Gregor re distributions .1 E-mail from Stjepan about when to collect .1 Save prior e-mails .1 (no charge)	400.00/hr	200.00
	[REDACTED] E-mails with Papes .1 E-mail from Gregor .1 Receive Order on mtn to file under seal .1	400.00/hr	160.00
	Receive and review Order Granting in Part Administrative Motion to File under Seal	400.00/hr	40.00
9/22/2021	review orders, calendar due dates .1	400.00/hr	40.00
9/23/2021	review Order re redactions and filing under seal; locate referred to exhibits, evaluate potential reconsideration as to some information and decide not to seek court review of order; save unredacted copy of exhibits, revise declaration, combine declaration with exhibits; memo re sorting into sizes of volumes to be able to e-file 1.0 review motions, responses and orders in US ex rel Lesnik and related case of Maslic, identify Dkt numbering, identify dates; prepare draft Joint Case Management Statement 1.0 E-mail to counsel for Eisenmann and Tesla .1 E-mail from counsel Bernay .1 Multiple e-mails with Stjepan and Gregor .1 (partially charged)	400.00/hr	920.00
	Receive and review Order to File a Joint Case Management Statement	400.00/hr	40.00

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	<u>Rate</u>	<u>Amount</u>
9/24/2021 save e-mail from counsel for Eisenmann, copy text of e-mail for insert; revise CM Statement based on Eisenmann not participating or joining in filing; review and revise for filing .4 Discuss with staff completing for filing Declaration following issuance of Order re redactions and filing under seal, including reviewing exhibit list .1 (partially charged) call with ecf support about filing volumes of exhibits .1 (no charge) review entries re Maslic case, complete and e-file Plaintiff's Case Management Conference Statement .2 E-mail to Stjepan, Gregor and Danijel .1 	400.00/hr	400.00
E-mail notice of continuing CM Conference; download and save; update calendar .1		
Receive and review Plaintiff's Case Management Conference Statement filed on 9/24/2021	400.00/hr	40.00
Prepared Exhibit covers and split declaration for default motion, prepared 7 volumes for filing 3.	75.00/hr	225.00
9/26/2021 multiple e-mails from Stjepan .1 Review prior e-mails by Gregor .1 Review prior e-mails by Stjepan .1 have Elma translate texts and review translations of e-mails .2 Save translation .1 Conference with Danijel .1	400.00/hr	280.00
9/28/2021 Receive and review Pleadings mailed out on 8/26/2021, to Ivan Vuzem, Robert Vuzem, and ISM Vuzem were returned.	400.00/hr	40.00
10/1/2021 	400.00/hr	160.00
10/5/2021 review and direct save of audio between Gregor and the Vuzems .1 Review research on time period to file motion for fees, prepare draft insert with citations to authorities	400.00/hr	240.00

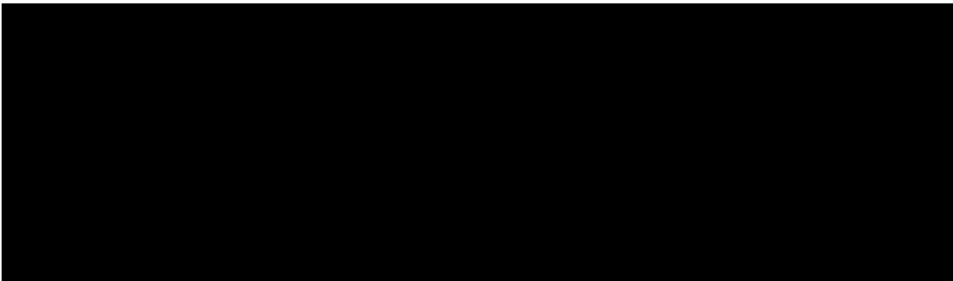
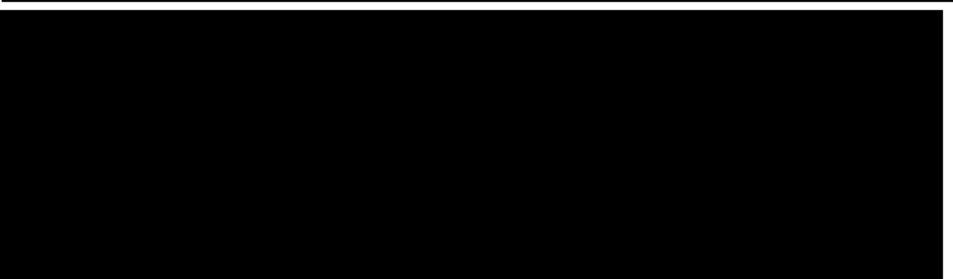
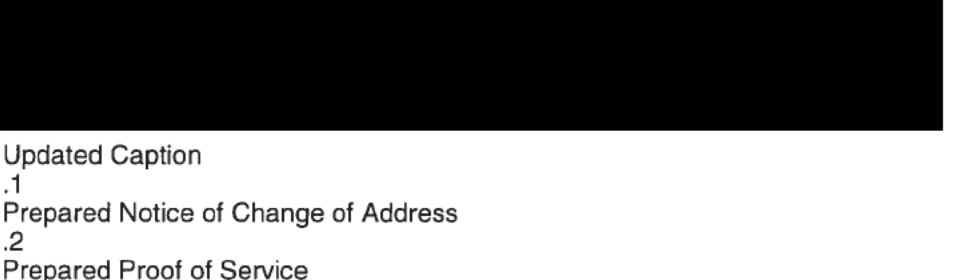
Gregor Lesnik

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		<u>Rate</u>	<u>Amount</u>
	.4 Discuss with staff saving in digital form proof of mailings to and return from Vuzems .1		
10/5/2021	organize and file pleadings brining pleadings current 2. scanned all returned pleading envelopes .5	75.00/hr	187.50
10/6/2021	organizing and preparing spreadsheet of returned pleadings 2.	75.00/hr	150.00
10/9/2021		400.00/hr	880.00
10/10/2021	text from, and texts to, Papes .1	400.00/hr	40.00
10/11/2021		75.00/hr	112.50
		400.00/hr	600.00
10/12/2021		400.00/hr	560.00
10/13/2021	e-mail to clients .1 (no charge)	400.00/hr	NO CHARGE

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		<u>Rate</u>	<u>Amount</u>
10/17/2021		400.00/hr	2,000.00
10/18/2021		400.00/hr	2,440.00
10/19/2021		400.00/hr	2,720.00
10/20/2021	Updated Caption .1 Prepared Notice of Change of Address .2 Prepared Proof of Service .2  e-mail with client .1	75.00/hr      400.00/hr	37.50      40.00
10/22/2021	Receive and review Notice of Change of address filed on 10/22/2021	400.00/hr	40.00
11/5/2021	Receive and review Notice of related cases and supporting declaration filed on 11/5/2021	400.00/hr	40.00
11/8/2021	Receive and review Certificate of service filed on 11/8/2021	400.00/hr	40.00
	receive notice of administrative motion to relate Novoselec case, and certificate of service .1	400.00/hr	40.00
12/17/2021	Receive and review Clerk Notice of change in assignment, meet and confer, and filing consent to magistrate or request for re-assignment to district judge	400.00/hr	40.00



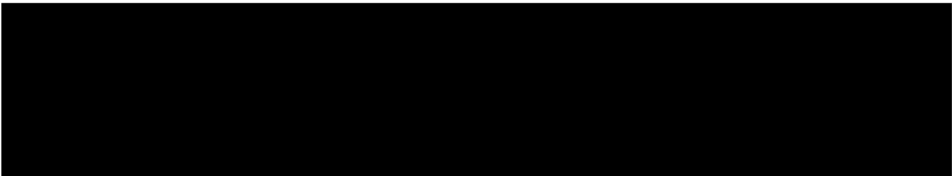
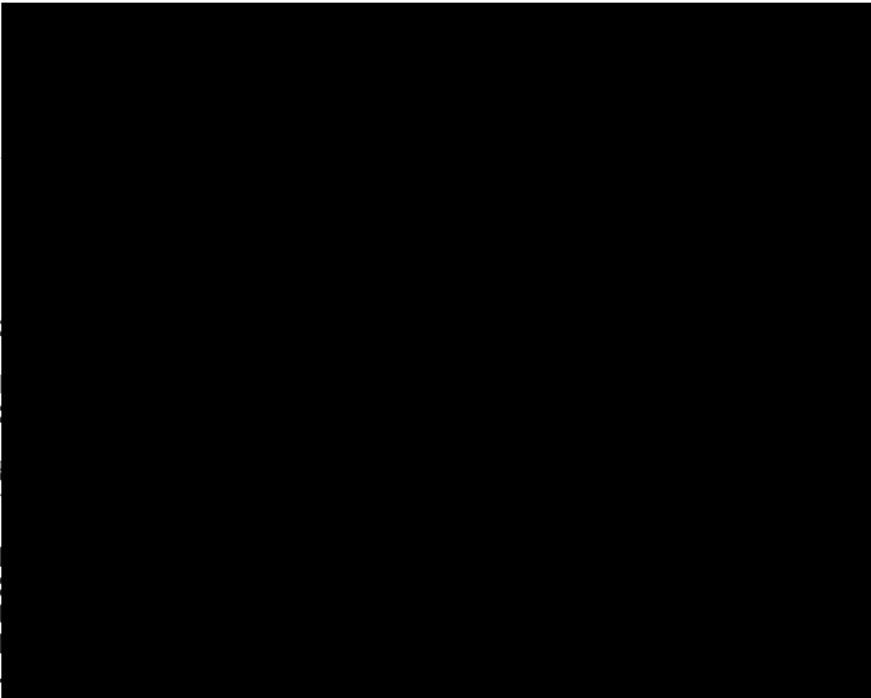
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		<u>Rate</u>	<u>Amount</u>
12/17/2021	receive notice from court of re-assignment .1	400.00/hr	80.00
	E-mail to counsel re stipulation to magistrate judge .1		
	Receive and review Clerk Notice of change in assignment, meet and confer, and filing consent to magistrate or request for re-assignment to district judge	400.00/hr	40.00
12/27/2021	e-mail from counsel for Eisenmann .1	400.00/hr	40.00
1/4/2022	Receive and review Filed copy of Request for Re-Assignment to District Judge	400.00/hr	40.00
1/18/2022	e-mail from Gregor, translate, prepare reply e-mail, translate .1	400.00/hr	40.00
1/24/2022	receive e-notice of Order, download, save and review order, change calendaring .1	400.00/hr	120.00
	E-mail from Papes .1		
	Review Slovenian statutes .1		
	E-mail to Papes and to Gregor and Danijel .1		
1/29/2022	receive and save e-notice of rescheduling CMC, calendar .1	400.00/hr	80.00
	E-mail to clients re status .1		
1/31/2022	prepare list of defendants named in TAC 1.0	400.00/hr	600.00
	e-mail from counsel for Eisenmann .1		
	Prepare Status Report .3		
	E-file; receive confirmation, download and save .1		
2/15/2022	e-mail from Papes, e-mail to Papes .1	400.00/hr	40.00
2/28/2022	review Judge Freeman standing orders and scheduling orders .1	400.00/hr	1,200.00
	Prepare draft letter to clerk to set hearing .1		
	Review Papes Declaration, revise caption .2		
	E-mail to Papes .1		

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	<u>Rate</u>	<u>Amount</u>
		
3/1/2022 e-mail from Papes, e-mail to Papes		120.00
.1	400.00/hr	
Review draft motion		
.2		
3/7/2022 consider steps to complete all motions		40.00
.1 (partially charged)	400.00/hr	
3/14/2022 e-mail from and to Papes		40.00
.1	400.00/hr	
3/30/2022 review notes for initial contact with Stjepan Papes		120.00
.1	400.00/hr	
Generate History Report for fee motion		
.2		
3/31/2022 discuss with staff redaction of attorney History Report for motions for recovery of fees		80.00
.2	400.00/hr	
4/27/2022 receive sub of attys for co-counsel for Eisenman GmbH		40.00
.1	400.00/hr	
5/2/2022 	75.00/hr	300.00
5/4/2022	75.00/hr	300.00
5/5/2022	75.00/hr	187.50
5/9/2022	75.00/hr	150.00
5/11/2022	75.00/hr	75.00
5/12/2022	75.00/hr	187.50

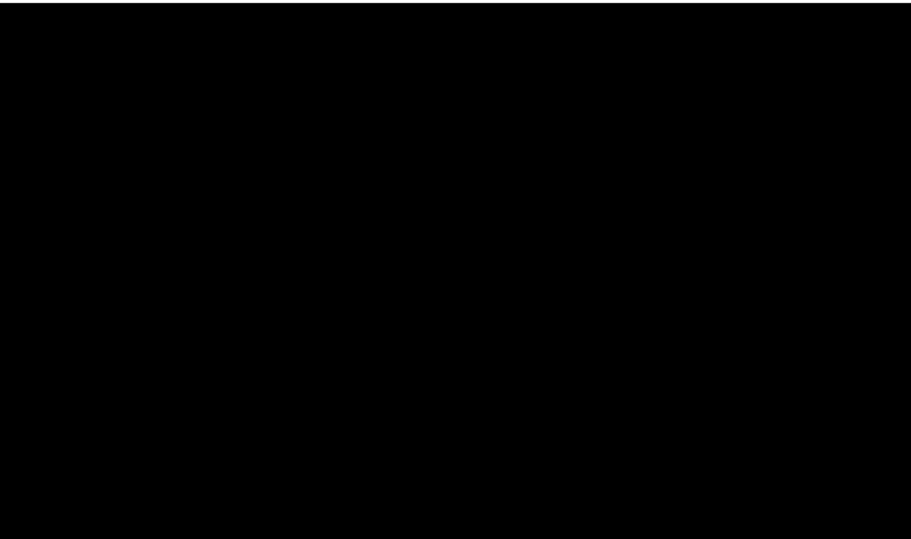
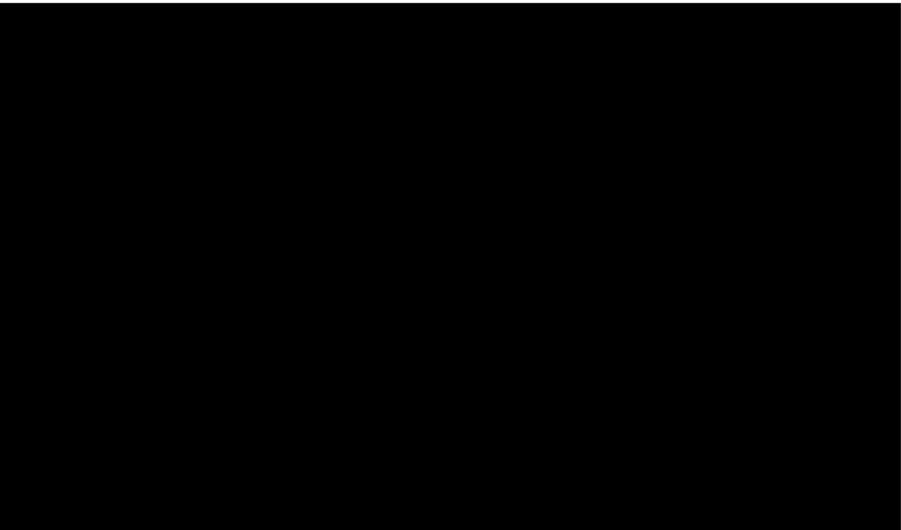

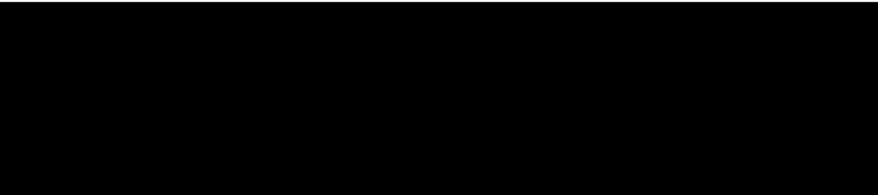
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		<u>Rate</u>	<u>Amount</u>
5/13/2022	[REDACTED]	75.00/hr	187.50
5/15/2022	Prepare Plaintiffs' Case Management Statement 1.0	400.00/hr	400.00
	Receive and review Plaintiffs and Relators' Case Management Conference Statement filed on 5/17/2022	400.00/hr	40.00
5/16/2022	e-mail to Lesnik and Papes re status .1	400.00/hr	40.00
5/17/2022	[REDACTED]	75.00/hr	187.50
5/20/2022	Receive Minute Entry for CMC, calendar further CMC .1	400.00/hr	40.00
5/21/2022	zoom call with client Papes .5	400.00/hr	200.00
5/24/2022	[REDACTED]	75.00/hr	112.50
5/31/2022	[REDACTED]	400.00/hr	600.00
	[REDACTED]	75.00/hr	75.00
6/1/2022	[REDACTED]	400.00/hr	40.00
	[REDACTED]	75.00/hr	112.50
6/2/2022	[REDACTED]	400.00/hr	40.00
	[REDACTED]	75.00/hr	112.50

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		<u>Rate</u>	<u>Amount</u>
6/6/2022		75.00/hr	112.50
6/8/2022		400.00/hr	120.00
		75.00/hr	150.00
6/9/2022		400.00/hr	40.00
6/13/2022		400.00/hr	40.00
6/14/2022	Memo re: Research attorney fees on default judgments in federal court .1	400.00/hr	40.00
6/15/2022		400.00/hr	40.00
6/16/2022		75.00/hr	187.50
6/20/2022		75.00/hr	225.00
		75.00/hr	300.00
6/21/2022		400.00/hr	40.00
6/22/2022		400.00/hr	40.00
6/23/2022		400.00/hr	440.00
6/27/2022		400.00/hr	NO CHARGE
		75.00/hr	112.50

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		<u>Rate</u>	<u>Amount</u>
6/29/2022	[REDACTED]	75.00/hr	187.50
6/30/2022	[REDACTED]	400.00/hr	40.00
	Review research re default judgments and attorneys fees .1		
	[REDACTED]	75.00/hr	262.50
7/6/2022	[REDACTED]	400.00/hr	40.00
	[REDACTED]	75.00/hr	75.00
7/7/2022	[REDACTED]	400.00/hr	40.00
	[REDACTED]	75.00/hr	337.50
7/11/2022	[REDACTED]	75.00/hr	300.00
7/12/2022	e-mail to Papes .2	400.00/hr	120.00
	Review research re default judgments and attorneys fees .1		
	[REDACTED]	400.00/hr	1,600.00
7/13/2022	[REDACTED]	400.00/hr	40.00
7/14/2022	Call to and text to Stjepan .1 (no charge)	400.00/hr	160.00
	Call with Stjepan, memo to file .4		
7/18/2022	[REDACTED]	400.00/hr	80.00
	[REDACTED]	400.00/hr	200.00

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		<u>Rate</u>	<u>Amount</u>
7/20/2022	[REDACTED]	400.00/hr	160.00
	[REDACTED]	400.00/hr	1,400.00
7/21/2022	[REDACTED]	400.00/hr	280.00
7/25/2022	[REDACTED]	400.00/hr	160.00
7/26/2022	e-mail from Papes .1	400.00/hr	40.00
8/9/2022	[REDACTED] e-mail to Gregor, Stjepan and Daniel .1	400.00/hr	120.00
	[REDACTED]	75.00/hr	187.50
8/10/2022	[REDACTED]	400.00/hr	160.00
	[REDACTED]	75.00/hr	225.00
For professional services rendered		3338.35	\$870,419.25

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## Additional Charges :

	<u>Amount</u>	
3/7/2016 Actual court filing fees - initial fee to US District Court	400.00	
3/31/2016 Actual outside service costs - certified mail on USAG	<del>26.80</del>	X
5/23/2016 Office copying at .15 per page	<del>10.80</del>	X
Postage and mailing at actual cost	<del>2.20</del>	X
6/8/2016 Office copying at .15 per page	3.00	
6/16/2016 Travel costs- parking \$29, mileage 2 x 50 x .50 = \$50	<del>79.00</del>	X
10/11/2016 Office copying at .15 per page	1.20	
Postage and mailing at actual cost	0.47	
to consultant Jay Palmer	<del>3,000.00</del>	X
1/27/2017 Office copying at .15 per page	0.75	
Postage and mailing at actual cost	0.47	
7/24/2017 Office copying at .15 per page	1.50	
8/8/2017 index tabs	101.28	
9/28/2017 Postage and mailing at actual cost	38.00	
10/16/2017 obtain corporate records: PA corporate fees, records, \$159.00	1,232.46	
18US ex rel Lesnik, business records, 82.82		
18US ex rel Lesnik, business records, 423.53		
18US ex rel Lesnik, business records, 72.81		
19US ex rel Lesnik, business records, 274.54		
19US ex rel Lesnik, business records, 59.50		
21US ex rel Lesnik, business records, 56.54		
24US ex rel Lesnik, business records, 82.72		
24US ex rel Lesnik, business records, Alabama for D2N, \$21		
10/18/2017 Office copying at .15 per page	10.20	
10/19/2017 Office copying at .15 per page	4.50	
10/27/2017 Office copying at .15 per page	9.00	
10/30/2017 Office copying at .15 per page	0.90	
10/31/2017 Office copying at .15 per page	3.00	

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	<u>Amount</u>	
11/1/2017 Postage and mailing at actual cost	123.01	
11/14/2017 Postage and mailing at actual cost	68.79	
11/29/2017 consultation fee to Jay Palmer	<del>5,000.00</del>	X
12/28/2017 to Jay Palmer for consulting fees	<del>10,000.00</del>	X
1/7/2018 Postage and mailing to co-counsel, FedEx, \$50.31	50.31	
1/18/2018 Volkswagen - Service on Registered Agent	<del>39.95</del>	X
1/19/2018 Actual outside service costs for Eisenmann SE -Service on Registered Agent	<del>39.95</del>	X
Actual outside service costs for Eisenmann Anlagenbau GmbH - Service on Registered Agent	39.95	
Actual outside service costs for Eisenmann Anlagenbau Verwaltung GmbH - Service on Registered Agent	39.95	
Actual outside service costs for Eisenmann Corp - Service on Registered Agent	39.95	
Actual outside service costs for Tesla Motors, Inc. - Service on Registered Agent	39.95	
1/20/2018 Actual outside service costs on VW, in Sacramento, California, OneLegal	<del>39.95</del>	X
FedEx Postage and mailing at actual cost	24.17	
1/22/2018 Actual outside service costs Dalmier AG -Service on Registered Agent	<del>39.95</del>	X
Fed Ex Postage and mailing at actual cost	24.17	
1/27/2018 Office copying at .15 per page	2.40	
Postage and mailing at actual cost	1.15	
1/29/2018 Actual outside service costs - by UK Process on Gregurec	<del>375.00</del>	X
2/1/2018 Actual outside service costs for Lax Fabricating Ltd. - National Process Serving - Standard	<del>169.95</del>	X
2/2/2018 Actual outside service costs. Keystone	<del>69.95</del>	X
2/3/2018 Actual outside service costs for attempted service on Magma, Intl, OneLegal	<del>169.95</del>	X
Actual outside service costs for attempted service on service on LaX Mechanical in Minnesota, OneLegal	<del>169.95</del>	X
Postage and mailing at actual cost, Fed Ex	27.34	
2/6/2018 Actual outside service costs for Additional Service Attempts - Standard	69.95	



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	<u>Amount</u>	
2/9/2018 Actual outside service costs for Mercedes-Benz US International, Inc. - National Process Serving - Standard	<del>169.95</del>	X
Actual outside service costs for Phoenix Mechanical - National Process Serving - Standard	<del>169.95</del>	X
Actual outside service costs for Rehau Incorporated - Service on Registered Agent	<del>95.95</del>	X
2/10/2018 Actual outside service costs on Mercedes, in Alabama, OneLegal	<del>169.95</del>	X
Actual outside service costs on Phoenix Mechanical in Taos, NM, One Legal	<del>169.95</del>	X
Actual outside service costs on on Rehau, by service on CT Corporation in Virginia, OneLegal	<del>95.95</del>	X
2/12/2018 translation from English into Croatian by Fibular-SLBd.o.o.	1,841.04	
2/14/2018 Actual court filing fees, One Legal	<del>462.06</del>	X
2/21/2018 translation into Slovenian by Lingua-Soft	2,342.49	
Office copying at .15 per page	21.60	
Postage and mailing at actual cost	11.11	
2/28/2018 Actual outside service costs for Citic Dicastal Co., Ltd - Process Serving - Standard	<del>69.95</del>	X
Actual outside service costs ISM Vuzern USA, INC. - Serve Failed	69.95	
Postage and mailing at actual cost	16.80	
3/1/2018 Office copying at .15 per page	37.20	
Actual outside service costs Magma Int. - Serve Failed	<del>69.95</del>	X
3/6/2018 Office copying at .15 per page	7.95	
Postage and mailing at actual cost	10.89	
3/8/2018 Office copying at .15 per page	1.50	
3/13/2018 Office copying at .15 per page	4.95	
3/20/2018 Office copying at .15 per page	7.20	
3/21/2018 Office copying at .15 per page	4.80	
3/22/2018 Office copying at .15 per page	9.60	
3/23/2018 Office copying at .15 per page	26.25	

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	<u>Amount</u>	
3/26/2018 Actual outside service D2N Tehnojogje d.o.o. aka D2N d.o.o. - Serve Failed	<del>69.95</del>	X
4/17/2018 Actual outside service costs. Elite Process Serving, Inc., service on Eisenmann German entities (3)	225.00	
4/18/2018 Actual outside service re Eisenmann Corporation	40.00	
Office copying at .15 per page	6.30	
4/24/2018 Actual outside service re Bayerische Motoren Werke	<del>140.00</del>	X
4/25/2018 Actual outside service costs service on BMW in South Carolina, OneLegal	<del>140.00</del>	X
4/26/2018 Intellius	17.04	
5/3/2018 Actual outside service costs service on DiCastal in Michigan, [delayed billing and confirmation report from OneLegal	<del>175.00</del>	X
5/12/2018 Online research re Wisconsin Department of Financial Institutions	10.00	
5/16/2018 Office copying at .15 per page	30.60	
Postage and mailing at actual cost	19.56	
5/17/2018 Office copying at .15 per page	68.25	
Postage and mailing at actual cost	29.38	
Actual outside service costs service on Vuzem USA, Inc, OneLegal	55.00	
5/22/2018 Actual court filing fees Summons, Second Amended Complaint, Order Granting Administrative Motion	75.00	
5/23/2018 Office copying at .15 per page	122.85	
Postage and mailing at actual cost	45.76	
6/28/2018 Actual court filing fees Witness Fees, Summons&Complaint, Order Granting Administrative Motion	51.30	
Actual court filing fees Summons, second Amended Complaint, Order	51.30	
6/29/2018 Outside copying at actual cost - FOIA, Spartanburg County, deposit # 1	30.41	
7/2/2018 Outside copying at actual cost - FOIA, Spartanburg County, deposit # 2	12.50	
7/5/2018 Office copying at .15 per page	0.15	
Postage and mailing at actual cost	0.48	

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	<u>Amount</u>	
7/12/2018 Outside copying at actual cost, FOIA, Spartanburg County, BMW, balance	128.73	
7/16/2018 to Marjan Aleksic, 717.12 + 35 wire fee	752.12	
7/17/2018 translation into Croatian, Fibula-SLB 46.16 + 35 wire fee	81.16	
8/6/2018 Pacer	86.90	
8/14/2018 Office copying at .15 per page	45.00	
8/30/2018 Postage and mailing at actual cost	46.71	
10/4/2018 loan to Papes	<del>3,000.00</del>	X
10/5/2018 wire fee for payment to Foster, PC	<del>30.00</del>	X
10/9/2018 Office copying at .15 per page	10.80	
10/10/2018 Office copying at .15 per page	4.80	
10/21/2018 Office copying at .15 per page	12.90	
10/29/2018 Office copying at .15 per page	14.70	
wire fee for funds to Papes	<del>45.00</del>	X
10/30/2018 Office copying at .15 per page	17.10	
Outside copying at actual cost - Alameda Superior Court records	33.50	
10/31/2018 Office copying at .15 per page	0.90	
11/1/2018 Office copying at .15 per page	16.50	
Office copying at .15 per page	0.45	
11/5/2018 Actual outside service costs Brandywine Process Service, service on Volvo Car US Operations, Inc., \$69	<del>69.00</del>	X
Actual outside service costs Brandywine Process Service, service in Delaware on Eisenmann SE, \$39	39.00	
Actual outside service costs Brandywine Process Service, service on Eisenmann Anlagenbau GmbH & Co. KG, \$39	39.00	
Actual outside service costs Brandywine Process Service, service on Eisenmann Anlagenbau Verwaltung GmbH, \$39	39.00	
Actual outside service costs Elite Process Serving, service in Illinois on Eisenmann SE, \$75	75.00	

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	<u>Amount</u>
11/5/2018 Actual outside service costs Elite Process Serving, service in Illinois on Eisenmann Anlagenbau GmbH & Co. KG, \$75	75.00
Actual outside service costs Elite Process Serving, service in Illinois on Eisenmann Anlagenbau Verwaltung GmbH, \$75	75.00
Actual outside service costs Process Service Associates, service in California on Eisenmann SE, \$49.50	49.50
Actual outside service costs Process Service Associates, service in California on Eisenmann Anlagenbau GmbH & Co. KG, \$49.50	49.50
Actual outside service costs Process Service Associates, service in California on Eisenmann Anlagenbau Verwaltung GmbH, \$49.50	49.50
11/7/2018 translation of Third Amended Complaint into Croatian	3,046.00
wire transfer to Fibular SLB doo for translation	45.00
11/8/2018 Actual outside service costs - UK Service for service on Gregurec	<del>375.00</del> X
11/15/2018 mediation travel fees for Papes, via eTours (for initial flight tickets)	1,289.00
wire transfer fee	45.00
11/26/2018 wire transfer fee	30.00
11/29/2018 Travel costs- travel to and from San Francisco for meeting with Walter Walker and firm, \$117.80 + 110.78	228.58
12/10/2018 Travel costs- Expedia, for Gregor travel to and from mediation, \$1,526.63, + \$10.35, + \$99.00	1,635.98
Travel costs- flight ticket for Stjepan Papes to fly return Frankfurt to Zagreb when denied entry to US for mediation, lost when learned visa cancelled	661.00
12/19/2018 Office copying at .15 per page	31.24
12/20/2018 Office copying at .15 per page	0.60
12/27/2018 Office copying at .15 per page	85.50
Postage and mailing at actual cost	7.98
Office copying at .15 per page	6.00
12/28/2018 Travel costs- to and from San Francisco	NO CHARGE
12/31/2018 for flight tickets for Stjepan Papes, second set, for travel to mediation	661.00
wire fee	45.00



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	<u>Amount</u>
1/7/2019 Postage and mailing at actual cost, international mailing of Rule 4 Waivers	351.00
Postage and mailing at actual cost - of proposed Waivers of Service	351.00
2/6/2019 Outside copying at actual cost - National Archives, deposit for records request, Eisenmann v Durr	90.00
2/7/2019 Actual outside service costs - US Postal Service, on Vuzem entity in S Carolina	20.50
Actual outside service costs, by certified mail	20.50
2/11/2019 Outside copying at actual cost - Kyckr, Registry [EBR Direct], corporate records	36.41
2/13/2019 Actual outside service costs - on Vuzem entity in US	126.65
2/14/2019 Office copying at .15 per page	2.70
Office copying at .15 per page	0.75
Outside copying at actual cost - AJPES, Ljubljana, corporate records	5.28
Outside copying at actual cost - corporate records	5.28
2/15/2019 Office copying at .15 per page	100.05
Office copying at .15 per page	51.75
2/19/2019 Outside copying at actual cost - balance due National Archives for file in Eisenmann v Durr	530.00
Actual outside service costs - in Slovenia, initial payment	2,715.00
2/20/2019 Actual outside service costs - Croatia	575.00
2/22/2019 Office copying at .15 per page 27 x 5	20.25
2/25/2019 Actual outside service costs - further payment for Slovenian service of process, by post and in person	1,375.00
3/1/2019 Office copying at .15 per page	1.80
3/12/2019 Actual outside service costs - further payment for Slovenian services in person, including review by Odvetnik Divjak	5,200.00
4/11/2019 Office copying at .15 per page 2 x 39	11.70
Office copying at .15 per page	2.70
4/12/2019 Office copying at .15 per page	0.30
4/17/2019 Office copying at .15 per page 6 x 6	5.40

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	<u>Amount</u>	
4/17/2019 Postage and mailing at actual cost 12 x \$2.13 + \$16.39 =	41.95	
4/18/2019 Office copying at .15 per page	18.00	
5/31/2019 Link Translations, Translate to Polish	<del>6,079.05</del>	X
7/15/2019 Actual outside service costs	<del>2,085.00</del>	X
Revised Invoice dated 7/15/2019		
1. Formal Service of Process on Rimsa Plus Sp z.o.o. in Poland	\$695	
2. Formal Service of Process on Enterprise MDM Poland Sp z.o.o. in Poland	\$695	
3. Formal Service of Process on MDM Polska Sp z.o.o. in Poland	\$695	
9/4/2019 Office copying at .15 per page	1.20	
9/5/2019 Office copying at .15 per page	0.75	
Actual outside service costs - to serve in Poland, rush personal service, by Wave Business Services dba Process Server One - \$2,960.62 + 3,933.56	<del>6,894.18</del>	X
9/23/2019 Office copying at .15 per page	0.30	
9/28/2019 Reporters transcript of Case Management Conference hearing of April 2019	27.00	
9/30/2019 Office copying at .15 per page	0.15	
Postage and mailing at actual cost	0.55	
10/28/2019 Office copying at .15 per page	2.40	
10/30/2019 Office copying at .15 per page	2.40	
10/31/2019 Office copying at .15 per page	1.65	
11/4/2019 Office copying at .15 per page 7 x 2	2.10	
Postage and mailing at actual cost	2.60	
Postage and mailing at actual cost	5.10	
11/5/2019 Postage and mailing at actual cost	2.13	
11/14/2019 Office copying at .15 per page	34.35	
11/19/2019 Office copying at .15 per page	2.25	
11/23/2019 Office copying at .15 per page 4 x 49	29.40	
Postage and mailing at actual cost	6.60	

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	<u>Amount</u>
12/13/2019 to purchase laptop for Papes	500.00
1/3/2020 Travel costs- including: gas, parking, flights, rental cars, etc. CheapOAir, Gregor flights from and to Zagreb	946.65
1/8/2020 Office copying at .15 per page 4 x 4	2.40
Postage and mailing at actual cost	1.65
1/9/2020 Reporter transcript of 10-30-2019	38.70
1/12/2020 Postage and mailing at actual cost Court Reporter Lee-Anne Shortdige payment	0.55
1/13/2020 Office copying at .15 per page 4 x 54	31.20
Postage and mailing at actual cost	7.02
1/20/2020 Postage and mailing at actual cost FedEx	49.54
2/20/2020 Postage and mailing at actual cost for FedEx	34.19
2/29/2020 Office copying at .15 per page	1,957.80
3/2/2020 Postage and mailing at actual cost, includes priority mail with tracking, to all defaulted defendants	853.20
Postage and mailing at actual cost	11.00
Postage and mailing at actual cost - international postage	853.00
3/3/2020 Office copying at .15 per page 54 x 17 = 918	137.70
Postage and mailing at actual cost	294.00
3/4/2020 retainer, class action counsel, Hunter Pyle	<del>10,000.00</del> X
3/5/2020 Office copying at .15 per page 3 x 18= 54	8.10
Office copying at .15 per page	90.00
3/19/2020 Subpoenaed records at actual cost	88.50
Subpoenaed records at actual cost, second subpoena SU 327684-02-01	88.50
3/23/2020 Subpoenaed records at actual cost - to BMW	177.00
3/24/2020 consultant services invoice, Jack B. Palmer	<del>3,150.00</del> X

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	<u>Amount</u>
3/26/2020 Postage and mailing at actual cost	0.55
Postage and mailing at actual cost for FedEx	26.15
4/24/2020 Office copying at .15 per page 3 x 339=1017	152.55
Postage and mailing at actual cost for mailing overseas	185.85
5/12/2020 Office copying at .15 per page	0.30
Postage and mailing at actual cost-	0.55
5/21/2020 fees to Hunter Pyle	<del>65,427.50</del> X
6/18/2020 Radmilo Bozinovic, translation services	7,437.50
6/22/2020 Subpoenaed records at actual cost, Titan Subpoena to BMW	88.50
8/3/2020 Luka Divjac, services for completing declaration re service	604.81
8/21/2020 Office copying at .15 per page	32.55
8/24/2020 Outside copying at actual cost, Georgia Superior Court	5.50
8/26/2020 Office copying at .15 per page	1,554.30
Postage and mailing at actual cost service of amended motions to Slovenia, Croatia, England, USA	758.58
Postage and mailing at actual cost, documents to counsel	24.30
8/27/2020 Office copying at .15 per page	165.75
9/3/2020 Radmilo Bozinovic, translation services	500.00
9/4/2020 Fibula SLB jdoo, translation services	206.50
9/18/2020 Postage and mailing at actual cost HIRD reship	58.85
Luka Divjac, represent Gregor Lesnik on petition by Vuzem in Slovenian court	<del>3,052.00</del> X
wire fee	5.00
10/12/2020 Postage and mailing at actual cost	0.55
Radmilo Bozinovic, translations for opposition to D2N motion	312.50
2/9/2021 retainer fee to Luka Divjac for collection on anticipated judgment	12,428.54



Gregor Lesnik

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	<u>Amount</u>
3/4/2021 Postage and mailing at actual cost	107.50
4/12/2021 Office copying at .15 per page for 12 defendants at 1613 pages each	2,903.40
Postage and mailing at actual cost 15.82 x2 Domestic	31.64
5/12/2021 Office copying at .15 per page	5.10
7/22/2021 Office copying at .15 per page	1.95
8/26/2021 Office copying at .15 per page	46.80
Postage and mailing at actual cost	8.00
Postage and mailing at actual cost	87.84
Total additional charges	<u>\$184,353.93</u>
For professional services rendered	3338.35 <u>\$1,054,773.18</u>

## Attorney Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William C. Dresser	1511.50	400.00	\$604,600.00
William C. Dresser	209.20	375.00	\$78,450.00
William C. Dresser	191.30	350.00	\$66,955.00
William C. Dresser	2.40	75.00	\$180.00
William C. Dresser	4.30	45.00	\$193.50
William C. Dresser	5.50	0.00	\$10,000.00
Amanda Pryzbyla	6.00	75.00	\$450.00
Amanda Pryzbyla	0.10	45.00	\$4.50
Andrea Anderson	8.00	400.00	\$3,200.00
Andrea Anderson	62.00	75.00	\$4,650.00
DebbieL nee M/earlier AnnaK/Susie/ShellyA/TiffanyS/JenG	8.50	400.00	\$3,400.00
DebbieL nee M/earlier AnnaK/Susie/ShellyA/TiffanyS/JenG	1029.20	75.00	\$77,190.00
DebbieL nee M/earlier AnnaK/Susie/ShellyA/TiffanyS/JenG	35.80	45.00	\$1,611.00
DebbieL nee M/earlier AnnaK/Susie/ShellyA/TiffanyS/JenG	0.30	0.00	\$0.00
Laura Diaz	8.20	75.00	\$615.00
Lisa Ayala	35.90	75.00	\$2,692.50
Stacie DelGiudice	205.95	75.00	\$15,446.25
Stacie DelGiudice	8.75	45.00	\$393.75
Stacie DelGiudice	0.20	0.00	\$0.00
Trish Crawford	5.05	75.00	\$378.75
Renee Wesson	0.20	45.00	\$9.00

US, ex rel. Lesnik v Eisenmann SE, et al.  
Case No: 5:16-cv-01120 LHK

# Attachment B

**ATTACHMENT B - CHART OF MAJOR TASKS INCURRED IN CONNECTION WITH CLAIM 9**

Task	William Dresser	Paralegals	Outside counsel
Billing Rate	\$400	\$75	\$400 to \$650
Compl. and Pre-Compl. Investigation	60	35	
Service of Process	65	100	
Ongoing investigation	50	15	
Discovery	40	20	
Motion Practice (to dismiss, to quash, to file under seal, to amend, to extend time to serve)	100	40	
Settlement Efforts (mediation and settlement conference as well as informal discussions)	45	3	
Client Communication	50	10	
Coworker and Witness Communications	30	15	
Research	35	3	
Motion Practice (for default judgment on TVPA claim)	50	20	
Miscellaneous (case management, communications with other counsel, file organization, and miscellaneous research and investigation)	40	10	
Motion for fees	20	3	
Total Hours	585	274	Not claimed

US, ex rel. Lesnik v Eisenmann SE, et al.  
Case No: 5:16-cv-01120 LHK

# Exhibit C

United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, ex rel.  
GREGOR LESNIK; STJEPAN PAPES,

Plaintiffs,

v.

EISENMANN SE, et al.,

Defendants.

Case No. 16-CV-01120-LHK

**ORDER GRANTING IN PART AND  
DENYING PLAINTIFFS' THIRD  
MOTION FOR DEFAULT JUDGMENT  
AS TO TRAFFICKING VICTIMS  
PROTECTION REAUTHORIZATION  
ACT CLAIM**

Re: Dkt. No. 560

Before the Court is Plaintiffs Gregor Lesnik and Stjepan Papes' (collectively, "Plaintiffs") third motion for default judgment as to Plaintiffs' Trafficking Victims Protection Reauthorization Act ("TVPRA") claim against Defendants ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Vuzem USA, Inc., Robert Vuzem, Ivan Vuzem, and HRID-Mont, d.o.o. ECF Nos. 560 ("Mot."). Having considered the Plaintiffs' briefing, the relevant law, and the record in this case, the Court GRANTS in part and DENIES in part Plaintiffs' third motion for default judgment as to Plaintiffs' TVPRA claim.

**I. BACKGROUND**

**A. Factual Background**

## 1. The Parties

Defendant ISM Vuzem d.o.o. is a Slovenian business entity with its principal place of business in Slovenia. Third Amended Complaint, ECF No. 269, at ¶ 9 (“TAC”). Defendant ISM Vuzem USA, Inc. was a South Carolina corporation with its principal place of business in South Carolina. *Id.* at ¶ 12. Defendant Vuzem USA, Inc. was a California corporation with its principal place of business in California. *Id.* at ¶ 13. Defendant Robert Vuzem is a resident of Slovenia. *Id.* at ¶ 10. Defendant Ivan Vuzem is a resident of Slovenia. *Id.* at ¶ 11. Defendant HRID-MONT d.o.o. is a Slovenian corporation with its principal place of business in Slovenia. *Id.* at ¶ 14.

Plaintiff Gregor Lesnik is a resident of Slovenia and was allegedly hired by ISM Vuzem d.o.o. and brought to the United States to work at the Tesla manufacturing plant in Fremont, California in 2015. *Id.* at ¶ 1. Plaintiff Stjepan Papes is a resident of Croatia and was allegedly hired by ISM Vuzem d.o.o. and brought to the United States to work at various locations between 2013 and 2015, including at the Tesla manufacturing plant in Fremont, California. *Id.* at ¶ 2.

## 2. Alleged Conduct of the Defendants

Plaintiffs allege that the Eisenmann Corporation (“Eisenmann”), a former Defendant in this case, formed relations with a number of manufacturing entities, such as Tesla, to perform construction work related to Eisenmann’s equipment. TAC at ¶ 70. Plaintiffs allege that Eisenmann, to fulfill these agreements, would hire subcontractors who would then provide the laborers necessary to complete the equipment installation. *Id.* at ¶ 84, 107–8. Among those subcontractors were ISM Vuzem d.o.o., ISM Vuzem USA, Inc., and Vuzem USA, Inc. *Id.*

Although all of the work described in the TAC occurred in the United States, ISM Vuzem d.o.o. did not use American workers. Instead, the TAC alleges that ISM Vuzem d.o.o. and the other subcontractor Defendants hired workers internationally. For example, to help install a paint shop at a Tesla facility in Fremont, California, ISM Vuzem d.o.o. hired Lesnik and Papes. *Id.* at ¶¶ 1–2, 60, 111, 213. Lesnik and Papes were allegedly brought to the United States on B-1 visas that are generally reserved for skilled work, even though ISM Vuzem d.o.o. and other Defendants allegedly knew the workers would actually be performing unskilled construction work. *Id.* at ¶¶

58–91, 211. ISM Vuzem d.o.o. and other Defendants allegedly submitted letters to the United States Consulate containing false statements to obtain B-1 visas on Lesnik and Papes’ behalf. *Id.* at ¶¶ 206, 211, 213, 216.

The TAC alleges that Lesnik and Papes, once in the United States, were paid far below minimum wage and were forced to work extreme hours. Lesnik allegedly worked at least 10-12 hours a day, over 80 hours a week, and received almost no time off work. *Id.* at ¶ 237. Papes worked a similar number of hours. *Id.* ISM Vuzem d.o.o also allegedly threatened to withhold pay if workers became too sick to work or reported a job injury; threatened to withhold medical benefits if workers reported a job injury; threatened to cancel visas; threatened to file a civil suit against Lesnik while he was hospitalized; and even told Lesnik that “this will not go well for you.” *Id.* at ¶ 315, 338–39. The TAC also alleges that the foreign workers were subject to poor living conditions in the United States, such as being housed in facilities without kitchens, having multiple workers sleep in the same bedroom, and typically having 6 to 10 workers share a single bathroom. *Id.* at ¶ 318.

### **B. Procedural Background**

Plaintiffs filed the complaint initiating this lawsuit on March 7, 2016. ECF No. 1. On July 15, 2016, Plaintiffs filed the First Amended Complaint. ECF No. 20. On April 25, 2017, the United States filed a notice that it would not intervene in the instant case. ECF No. 25. On April 25, 2017, the Court unsealed the complaint. ECF No. 26.

On August 8, 2017, the Court granted Plaintiffs’ motion to file a Second Amended Complaint, and directed the United States to make a “prompt decision” regarding intervention. ECF No. 31. On October 5, 2017, the United States filed another notice that it would not intervene in the instant case. ECF No. 34. On November 11, 2017, Plaintiffs filed the Second Amended Complaint. ECF No. 37.

On July 12, 2018, various moving Defendants—Eisenmann, Tesla, Mercedes-Benz, Deere, REHAU, LaX, VW, Discatal, and BMW—filed a motion to dismiss the Second Amended

1 Complaint. ECF No 219. On October 1, 2018, the Court granted in part and denied in part the  
2 motion to dismiss the Second Amended Complaint. ECF No. 255.

3 On October 31, 2018, Plaintiffs filed a 108-page Third Amended Complaint. ECF No.  
4 269. (“TAC”). The TAC alleges 13 causes of action (some of which are duplicative). At issue in  
5 the instant third motion for default judgment is Plaintiffs’ claim pursuant to the TVPRA (Count 9).  
6 *Id.* at ¶ 312.

7 On March 28, 2019, Plaintiffs filed summons returned notices for the TAC on Defendants.  
8 ECF Nos. 362–372. On April 17, 2019, Plaintiffs filed motions for entry of default against seven  
9 Defendants. ECF Nos. 382–388. On November 11, 2019, Plaintiffs filed motions for entry of  
10 default against the remaining Defendants. ECF Nos. 425–428. On November 7, 2019, the Clerk  
11 of the Court entered default against four of the Defendants. ECF Nos. 430–433. On January 16,  
12 2020, the Clerk of the Court entered default against the seven remaining Defendants. ECF Nos.  
13 443–449.

14 On February 19, 2020, the Court ordered Plaintiffs to file motions for default judgment by  
15 February 28, 2020. ECF No. 457. On February 28, 2020, Plaintiffs filed a motion for default  
16 judgment on their False Claims Act claim. ECF No. 461. On February 29, 2020, Plaintiffs filed a  
17 motion for default judgment on their Federal Labor Standards Act claims. ECF No. 470. On  
18 February 29, 2020, Plaintiffs also filed a motion for default judgment on their TVPRA claim and  
19 state trafficking claim. ECF No. 468.

20 On June 26, 2020, the Court denied without prejudice Plaintiffs’ motions for default  
21 judgment. ECF No. 498. The Court explained that there were numerous deficiencies in Plaintiffs’  
22 motions, including (1) that Plaintiffs’ motions failed to address the Court’s subject matter and  
23 personal jurisdiction, and (2) that three of Plaintiffs’ four default judgment motions failed to brief  
24 the *Eitel* factors, which govern entries of default judgment. *Id.*

25 On August 24, 2020, Plaintiffs filed a second round of motions for default judgment and  
26 entry of final judgment. ECF Nos. 501, 505, and 506. Plaintiffs filed a second motion for default  
27



1 judgment and an entry of final judgment on Plaintiffs' Fair Labor Standards Act claim. ECF No.  
2 501. Plaintiffs filed a second motion for default judgment and an entry of final judgment on  
3 Plaintiffs' False Claims Act claim. ECF No. 505. Plaintiffs filed a third motion for default  
4 judgment and an entry of final judgment on Plaintiffs' TVPRA claim. ECF No. 506.

5 On August 25, 2020, Plaintiffs filed notices of voluntary dismissal without prejudice of  
6 their California trafficking claims and California wage claims. ECF Nos. 512, 513.

7 On February 10, 2021, the Court denied Plaintiffs' second round of motions for default  
8 judgment without prejudice. ECF No. 551. The Court found that Plaintiffs had failed to establish  
9 the Court's personal jurisdiction over Defendants, which the Court must do before entering default  
10 judgment. *Id.* at 11. Furthermore, the Court found that Plaintiffs had failed to provide evidence  
11 that Defendants Magna d.o.o and We-Kr d.o.o. were properly served. *Id.* at 13.

12 On April 8, 2021, Plaintiffs filed a third motion for default judgment on Plaintiffs' TVPRA  
13 claim. ECF No. 560 ("Mot."). On April 9, 2021, Plaintiffs filed a third motion for default  
14 judgment on Plaintiffs' False Claims Act claim. ECF No. 564 ("Mot."). On April 11, 2021,  
15 Plaintiffs filed a third motion for default judgment on Plaintiffs' Fair Labor Standards Act claim.  
16 ECF No. 565.

17 On September 17, 2021, the Court denied Plaintiffs' third motion for default judgment as  
18 to Plaintiffs' False Claim Act claim and dismissed Plaintiffs' False Claim Act claim with  
19 prejudice. ECF No. 585.

20 The Court will address Plaintiffs' third motion for default judgment as to Plaintiffs' Fair  
21 Labor Standards Act claims in a separate order.

### 22 **C. Requests for Judicial Notice**

23 The Court may take judicial notice of matters that are either "generally known within the  
24 trial court's territorial jurisdiction" or "can be accurately and readily determined from sources  
25 whose accuracy cannot reasonably be questioned." Fed. R. Evid. 201(b). Moreover, courts may  
26 consider materials referenced in the complaint under the incorporation by reference doctrine, even  
27

1 if a plaintiff failed to attach those materials to the complaint. *Kniesel v. ESPN*, 393 F.3d 1068,  
 2 1076 (9th Cir. 2005). Public records, including judgments and other publicly filed documents, are  
 3 proper subjects of judicial notice. *See, e.g., United States v. Black*, 482 F.3d 1035, 1041 (9th Cir.  
 4 2007). However, to the extent any facts in documents subject to judicial notice are subject to  
 5 reasonable dispute, the Court will not take judicial notice of those facts. *See Lee v. City of Los*  
 6 *Angeles*, 250 F.3d 668, 689 (9th Cir. 2001), *overruled on other grounds by Galbraith v. County of*  
 7 *Santa Clara*, 307 F.3d 1119 (9th Cir. 2002).

8 In connection with Plaintiffs’ motion for default judgment, Plaintiffs request judicial notice  
 9 of Rule 4 of the Federal Rules of Civil Procedure (Ex. A); the Hague Convention on the Service  
 10 Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (“Hague Service  
 11 Convention”) (Ex. B); a list of signatories to the Hague Service Convention (Ex. C); the Republic  
 12 of Slovenia’s Reservations to the Hague Service Convention (Ex. D); the Republic of Slovenia’s  
 13 statutes for service of process (Ex. E); The United Kingdom of Great Britain and Northern Ireland  
 14 Reservations to the Hague Service Convention (Ex. F); and the United Kingdom’s Central  
 15 Authority Information (Ex. G). ECF No. 560-1, at 3–4 (Ex. A–G).

16 Rule 4 of the Federal Rules of Civil Procedure is a matter of public record and is therefore  
 17 the proper subject of judicial notice. *See Black*, 482 F.3d at 1041. The Court therefore GRANTS  
 18 Plaintiffs’ request for judicial notice of Rule 4 of the Federal Rules of Civil Procedure (Ex. A).

19 Under Federal Rule of Civil Procedure 44.1, “[i]n determining foreign law, the court may  
 20 consider any relevant material or source, including testimony, whether or not submitted by a party  
 21 or admissible under the Federal Rules of Evidence.” Fed. R. Civ. P. 44.1. As such, the Court may  
 22 take judicial notice of an authoritative statement of foreign law. *See McGhee v. Arabian Am. Oil*  
 23 *Co.*, 871 F.2d 1412, 1424 n. 10 (9th Cir. 1989) (noting that the Court may take judicial notice of  
 24 foreign law where appropriate); *see also Philips v. Ford Motor Co.*, 2016 WL 8505624, at \*1  
 25 (N.D. Cal. Jun. 10, 2016) (same); *Securities and Exch. Comm. v. Nevatia*, 2015 WL 6912006, at  
 26 \*4 n. 4 (N.D. Cal. Jun. 10, 2016) (same). Exhibits B–G are therefore the proper subject of judicial  
 27

notice. As such, the Court GRANTS Plaintiffs' request for judicial notice of Exhibits B-F.

Plaintiffs further request judicial notice of the Articles of Incorporation of ISM Vuzem USA, Inc. (Ex. H); Certificate of Dissolution of ISM Vuzem USA, Inc. ("Ex. I"); Articles of Incorporation of Vuzem USA, Inc. (Ex. J); Statement of Information of Vuzem USA, Inc. filed with the California Secretary of State (Ex. K); and Certificate of Dissolution of Vuzem USA, Inc. (Ex. L). ECF No. 560-1, at 5–6 (Ex. H–L). Each of these documents are public records and are therefore proper subjects of judicial notice. *Black*, 482 F.3d at 1041. According, the Court GRANTS Plaintiffs' request for judicial notice of exhibits H–L.

Finally, Plaintiffs request judicial notice of eight court filings in other federal cases. ECF No. 560-1, at 7–8 (Ex. P–W). Each of these documents is a public court filing and is therefore the proper subject of judicial notice. *Black*, 482 F.3d at 1041. Accordingly, the Court GRANTS Plaintiffs' request for judicial notice of exhibits P–W.

## II. LEGAL STANDARD

Pursuant to Federal Rule of Civil Procedure 55(b)(2), the Court may enter a default judgment when the Clerk, under Rule 55(a), has previously entered a party's default. Fed. R. Civ. P. 55(b). "The district court's decision whether to enter a default judgment is a discretionary one." *Aldabe v. Aldabe*, 616 F.2d 1089, 1092 (9th Cir. 1980). Once the Clerk enters default, all well-pleaded allegations regarding liability are taken as true, except with respect to damages. *See Fair Hous. of Marin v. Combs*, 285 F.3d 899, 906 (9th Cir. 2002) ("With respect to the determination of liability and the default judgment itself, the general rule is that well-pled allegations in the complaint regarding liability are deemed true."); *TeleVideo Sys. v. Heidenthal*, 826 F.2d 915, 917–18 (9th Cir. 1987) ("[U]pon default the factual allegations of the complaint, except those relating to the amount of damages, will be taken as true.").

"Factors which may be considered by courts in exercising discretion as to the entry of a default judgment include: (1) the possibility of prejudice to the plaintiff, (2) the merits of plaintiff's substantive claim, (3) the sufficiency of the complaint, (4) the sum of money at stake in

the action; (5) the possibility of a dispute concerning material facts; (6) whether the default was due to excusable neglect, and (7) the strong policy underlying the Federal Rules of Civil Procedure favoring decisions on the merits.” *Eitel v. McCool*, 782 F.2d 1470, 1471–72 (9th Cir. 1986).

Furthermore, if a party was improperly served, the Court may not enter a default judgment against that party. *Mason v. Genisco Tech. Corp.*, 960 F.2d 849, 851 (9th Cir. 1992) (explaining that a “person is not bound by a judgment in litigation to which he or she has not been made a party by service of process.”).

### III. DISCUSSION

#### A. Jurisdiction

The Court begins by addressing subject matter jurisdiction, personal jurisdiction, and service of process. “When entry of judgment is sought against a party who has failed to plead or otherwise defend, a district court has an affirmative duty to look into its jurisdiction over both the subject matter and the parties. A judgment entered without personal jurisdiction over the parties is void.” *In re Tuli*, 172 F.3d 707, 712 (9th Cir. 1999) (citations omitted). In order to avoid the entry of an order of default judgment that may subsequently be attacked as void, the Court must determine whether jurisdiction over the instant case exists. “The party seeking to invoke the court’s jurisdiction bears the burden of establishing that jurisdiction exists.” *Scott v. Breeland*, 792 F.2d 925, 927 (9th Cir. 1986) (citing *Data Disc, Inc. v. Sys. Tech. Assocs.*, 557 F.2d 1280, 1285 (9th Cir. 1977)). For the Court to exercise personal jurisdiction over a defendant, the defendant must also have been served in accordance with Federal Rule of Civil Procedure 4. *Mason*, 960 F.2d at 851 (explaining that an entry of default is void if there was improper service of process on a defendant).

The Court begins with subject matter jurisdiction and then proceeds to personal jurisdiction. Finally, the Court turns to service of process.

#### 1. Subject Matter Jurisdiction

The Court previously dismissed Plaintiffs’ first round motions for default judgment without prejudice for failure to address subject matter jurisdiction. ECF No. 498. Plaintiffs have now rectified that deficiency. Plaintiffs’ instant third motion for default judgment seeks default judgment on Plaintiffs’ claim under the TVPRA pursuant to 18 U.S.C. § 1595, *et seq.* Mot. at 25; TAC at ¶ 312. As such, the Court is satisfied that it has subject matter jurisdiction over Plaintiffs’ claim pursuant to 28 U.S.C. § 1331. 28 U.S.C. § 1331 (“The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.”).

## 2. Personal Jurisdiction

“[A] judgment entered without personal jurisdiction over the parties is void.” *In re Tuli*, 172 F.3d at 712. Moreover, “[t]he party seeking to invoke the court’s jurisdiction bears the burden of establishing that jurisdiction exists.” *Breeland*, 792 F.2d at 927 (citation omitted); *In re Boon Glob. Ltd.*, 923 F.3d 643, 650 (9th Cir. 2019) (explaining that it is the “party asserting jurisdiction [that] bears the burden to establish jurisdictional facts.”). The Court previously denied Plaintiffs’ second round motions for default judgment without prejudice because Plaintiffs failed to establish the Court’s personal jurisdiction over Defendants ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Vuzem USA, Inc., Robert Vuzem, Ivan Vuzem, and HRID-Mont, d.o.o. ECF No. 551, at 11. The Court warned Plaintiffs that if they failed to allege facts sufficient to establish the Court’s personal jurisdiction over Defendants, “the Court will deny Plaintiffs’ motions for default judgment with prejudice.” *Id.* at 12.

Personal jurisdiction over an out-of-state defendant is appropriate if the relevant state’s long-arm statute permits the assertion of jurisdiction without violating federal due process. *Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d 797, 800–01 (9th Cir. 2004). California’s long-arm statute, Cal. Civ. Proc. Code § 410.10, is co-extensive with federal due process requirements, and therefore the jurisdictional analyses under California law and federal due process merge into one. *See* Cal. Civ. Proc. Code § 410.10 (“[A] court of this state may exercise

jurisdiction on any basis not inconsistent with the Constitution of this state or of the United States.”); *Mavrix Photo, Inc. v. Brand Techs., Inc.*, 647 F.3d 1218, 1223 (9th Cir. 2011) (“California’s long-arm statute . . . is coextensive with federal due process requirements, so the jurisdictional analyses under state law and federal due process are the same.”).

For a court to exercise personal jurisdiction over a defendant consistent with due process, that defendant must have “certain minimum contacts” with the relevant forum state “such that the maintenance of the suit does not offend ‘traditional notions of fair play and substantial justice.’” *Int’l Shoe Co. v. Washington*, 326 U.S. 310, 316 (1945) (quoting *Milliken v. Meyer*, 311 U.S. 457, 463 (1940)). In addition, “the defendant’s ‘conduct and connection with the forum State’ must be such that the defendant ‘should reasonably anticipate being haled into court there.’” *Sher v. Johnson*, 911 F.2d 1357, 1361 (9th Cir. 1990) (quoting *World-Wide Volkswagen Corp. v. Woodson*, 444 U.S. 286, 297 (1980)).

A court may exercise either general or specific personal jurisdiction over a defendant. *See Ziegler v. Indian River Cty.*, 64 F.3d 470, 473 (9th Cir. 1995). In the instant case, Plaintiffs argue that the Court may exercise general personal jurisdiction over Vuzem USA, Inc. and specific personal jurisdiction over ISM Vuzem d.o.o., ISM Vuzem USA, Inc., HRID-Mont d.o.o., Robert Vuzem, and Ivan Vuzem. Mot. at 21–23. The Court addresses each argument in turn.

**a. General Personal Jurisdiction over Vuzem USA, Inc.**

Plaintiffs first argue that the Court may exercise general personal jurisdiction over Defendant Vuzem USA, Inc. because it “was a California corporation, registered on September 2, 2014, and dissolved on September 19, 2016.” *Id.* at 21. A corporation is considered domiciled in the states where the corporation is incorporated and has its principal place of business. *Goodyear Dunlop Tires Operations, S.A. v. Brown*, 564 U.S. 915, 923–24 (2011) (explaining domicile). Under federal due process, a defendant domiciled within a state is subject to the state’s general jurisdiction. *Milliken v. Meyer*, 311 U.S. 457, 462 (1940); *see also Ranza v. Nike, Inc.*, 793 F.3d 1059, 1069 (9th Cir. 2015) (“The paradigmatic locations where general jurisdiction is appropriate



over a corporation are its place of incorporation and its principal place of business.”).

Furthermore, California Corporations Code § 2010 provides that “[a] corporation which is dissolved nevertheless continues to exist for the purpose of winding up its affairs, prosecuting and defending actions by or against it . . .” Cal Corp. Code § 2010(a); *see also Soares v. Lorono*, 2015 WL 3826795, at \*3 (N.D. Cal. June 19, 2015) (explaining that a California corporation may be sued after it has dissolved for activities that took place pre-dissolution). Furthermore, § 2010 provides that “[n]o action or proceeding to which a corporation is a party abates by the dissolution of the corporation or by reason of proceedings for winding up and dissolution thereof.” *Id.* § 2010(b).

Accordingly, the Court finds that it may exercise general personal jurisdiction over Vuzem USA, Inc. because it was a California corporation and dissolved only after the violations of the TVPRA that Plaintiffs allege in their TAC.

**b. Specific Personal Jurisdiction over ISM Vuzem d.o.o., ISM Vuzem USA, Inc., HRID-Mont d.o.o., Robert Vuzem, and Ivan Vuzem**

Plaintiffs argue that the Court may exercise specific personal jurisdiction over ISM Vuzem d.o.o., ISM Vuzem USA, Inc., HRID-Mont d.o.o., Robert Vuzem, and Ivan Vuzem. Mot. at 22. Under Ninth Circuit law, the Court may exercise specific personal jurisdiction over a nonresident defendant when (1) the nonresident defendant “purposefully direct[s] his activities or consummate[s] some transaction with the forum or resident thereof; or perform[s] some act by which he purposefully avails himself of the privilege of conducting activities in the forum”; (2) the claim “arises out of or relates to the defendant’s forum-related activities”; and (3) the exercise of jurisdiction is reasonable. *Schwarzenegger*, 374 F.3d at 802. If the plaintiff succeeds in satisfying the first two prongs, the burden then shifts to the nonresident defendant to “present a compelling case” that the exercise of jurisdiction would not be reasonable. *Id.*

Below, the Court first finds that it may properly exercise specific personal jurisdiction over ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Robert Vuzem, and Ivan Vuzem. Second, the Court finds that Plaintiffs have failed to establish the Court’s specific personal jurisdiction over HRID-

1 Mont d.o.o.

2 First, Plaintiffs allege that ISM Vuzem d.o.o., Vuzem USA, Inc., and ISM Vuzem USA  
3 each entered into contracts for the construction of facilities in California, including at the Tesla  
4 manufacturing plant in Fremont, California. Mot. at 23. Robert Vuzem and Ivan Vuzem allegedly  
5 own and control the operations of ISM Vuzem d.o.o., ISM Vuzem USA, Inc., and Vuzem USA,  
6 Inc. TAC at ¶ 16. Plaintiffs allege that Robert Vuzem came to Fremont, CA to oversee the work  
7 done in the district. Mot. at 23. Robert Vuzem and Ivan Vuzem also allegedly prepared  
8 representations as to the nature of work that Plaintiff Papes would perform in California so that  
9 Papes could procure a B-1 workers' visa. TAC at ¶ 110. Ivan Vuzem also allegedly paid workers  
10 directly into Slovenian bank accounts for work done in California for Eisenmann Corporation and  
11 at other manufacturing sites in the United States. *Id.* at ¶ 117.

12 Plaintiffs further allege that ISM Vuzem USA, on behalf of ISM Vuzem d.o.o., signed  
13 documents for the purpose of obtaining visas to bring workers to California. Mot. at 23. Plaintiffs  
14 were allegedly two of the workers who were brought to California, and Plaintiffs' TVPRA claim  
15 arises out of the Plaintiffs' work and mistreatment while employed in California. *Id.* Specifically,  
16 Plaintiffs allege that they suffered coercion under the terms of the TVPRA at the Tesla  
17 manufacturing plant in Fremont, CA and at the Regional Medical Center in San Jose. *Id.* at 24.

18 Considering these allegations, the Court is satisfied that allegations regarding ISM Vuzem  
19 d.o.o., ISM Vuzem USA, Inc., Robert Vuzem, and Ivan Vuzem establish that (1) each of these  
20 Defendants "purposefully direct[ed] his activities or consummate[ed] some transaction with the  
21 forum or resident thereof; or perform[ed] some act by which he purposefully avail[ed] himself of  
22 the privilege of conducting activities in the forum"; (2) the claim "arises out of or relates to the  
23 defendant's forum-related activities"; and (3) the exercise of jurisdiction is reasonable."  
24 *Schwarzenegger*, 374 F.3d at 802. Accordingly, the Court is satisfied that based on Plaintiffs'  
25 allegations, the Court may properly exercise specific personal jurisdiction under Ninth Circuit law  
26 over ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Robert Vuzem, and Ivan Vuzem. *Id.*



1 However, Plaintiffs fail to provide sufficient allegations to support the Court's exercise of  
2 specific personal jurisdiction over HRID-Mont d.o.o. Plaintiffs fail to allege that any actions  
3 taken by HRID-Mont d.o.o. occurred in California or were otherwise directed at California.  
4 Rather, Plaintiffs' allegations regarding HIRD-Mont d.o.o. concern events that occurred elsewhere  
5 in the United States or in Slovenia. *See* Mot. at 23 (failing to point to any actions by HRID-Mont  
6 d.o.o. in California or directed at California). Accordingly, the Court finds that Plaintiffs have  
7 failed to sufficiently allege that HRID-Mont d.o.o. conducted activities in California or  
8 purposefully directed it activities toward California.

9 As such, the Court may not exercise specific personal jurisdiction over HRID-Mont d.o.o.  
10 with respect to Plaintiffs' TVPRA claim, and the Court therefore DENIES Plaintiffs' motion for  
11 default judgment on Plaintiffs' TVPRA claim against HRID-Mont d.o.o. *See In re Tuli*, 172 F.3d  
12 at 712 ("A judgment entered without personal jurisdiction over the parties is void."); *see also*  
13 *Facebook, Inc. v. Pedersen*, 868 F. Supp. 2d 953 (N.D. Cal. 2012) (denying motion for default  
14 judgment for lack of specific personal jurisdiction over defendant).

### 15 3. Service of Process

16 For the Court to properly exercise personal jurisdiction over a defendant, the defendant  
17 must have been served in accordance with the Federal Rules of Civil Procedure. *See Jackson v.*  
18 *Hayakawa*, 682 F.2d 1344, 1347 (9th Cir. 1982) ("Defendants must be served in accordance with  
19 Rule 4(d) of the Federal Rules of Civil Procedure, or there is no personal jurisdiction." (footnote  
20 omitted)).

21 Federal Rule of Civil Procedure 4(h) governs the rules of service when a corporation is  
22 served outside of the United States. It states that if a foreign corporation is served "at a place not  
23 within any judicial district of the United States," it must be served "in any manner prescribed by  
24 Rule 4(f) for serving an individual, except personal delivery under (f)(2)(C)(i)," unless a waiver of  
25 service has been filed. Fed. R. Civ. P. 4(h)(2).

26 Under Rule 4(f), a party may serve a corporation abroad using one of three methods:

(1) by any internationally agreed means of service that is reasonably calculated to give notice, such as those authorized by the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents;

(2) if there is no internationally agreed means, or if an international agreement allows but does not specify other means, by a method that is reasonably calculated to give notice . . . unless prohibited by the foreign country's law, by . . . using any form of mail that the clerk addresses and sends to the individual and that requires a signed receipt; or

(3) by other means not prohibited by international agreement, as the court orders.

Fed. R. Civ. P. 4(f)(1)-(3). Rule 4(f)(1) implements the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil and Commercial Matters. 20 U.S.T. 361, T.I.A.S. No. 6638 (“Hague Service Convention”). The Hague Service Convention “specifies certain approved methods of service and preempts inconsistent methods of service wherever it applies.” *Water Splash, Inc. v. Menon*, 137 S. Ct. 1504, 1507 (2017) (internal citations omitted). The Hague Service Convention “shall apply in all cases, in civil or commercial matters, where there is occasion to transmit a judicial or extrajudicial document for service abroad,” if the country of destination is a signatory member to the Hague Service Convention. *Volkswagenwerk Aktiengesellschaft v. Schlunk*, 486 U.S. 694, 699 (1988). The United States and Slovenia are both signatories to the Hague Service Convention, and therefore the Hague Service Convention governs service on Defendants ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Vuzem USA, Inc., Robert Vuzem, and Ivan Vuzem because “compliance with the [Hague Service Convention] is mandatory in all cases to which it applies.” *Id.* at 705; Mot. at 4.

The principle means of service under the Hague Service Convention is through a signatory country’s “Central Authority,” which the Convention requires each country to establish for the purpose of effectuating service in its country. *See* Hague Service Convention, art. 2, 20 U.S.T. at 362; *see also Brockmeyer v. May*, 383 F.3d 798, 801 (9th Cir. 2004) (explaining Central Authority mechanism in the Hague Service Convention). However, submitting a document to the Central Authority is not the only method of service available under the Hague Service Convention. *See*

*Water Splash*, 137 S. Ct. at 1508 (explaining various methods of service). Article 10 of the Hague Service Convention states that “[p]rovided the State of destination does not object, the present Convention shall not interfere with:

(a) the freedom to send judicial documents, by postal channels, directly to persons abroad,

(b) the freedom of judicial officers, officials or other competent persons of the State of origin to effect service of judicial documents directly through the judicial officers, officials or other competent persons of the State of destination,

(c) the freedom of any person interested in a judicial proceeding to effect service of judicial documents directly through the judicial officers, officials or other competent persons of the State of destination.

Hague Service Convention, 20 U.S.T. at 363; *Water Splash*, 137 S. Ct. at 1508 (explaining that the Hague Service Convention allows for other forms of service where a country does not object).

The Court previously found no deficiencies in Plaintiffs’ service of process on Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem. ECF No. 551, at 12 (identifying deficiencies only with service on Defendants Magna d.o.o. and We-Kr d.o.o.). The Court is therefore satisfied that Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem have been properly served. Therefore, the Court properly exercises personal jurisdiction over ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem.

## **B. Whether Default Judgment is Proper**

Having determined that the Court’s exercise of subject matter jurisdiction and personal jurisdiction over the Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem is proper, the Court now turns to the *Eitel* factors to determine whether entry of default judgment against Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem is warranted.

### **1. First *Eitel* Factor: Possibility of Prejudice**

Under the first *Eitel* factor, the Court considers the possibility of prejudice to Plaintiffs if

default judgment is not entered against Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem. “A plaintiff who is denied a default judgment and is subsequently left without any other recourse for recovery has a basis for establishing prejudice.” *Michael Grecco Prods., Inc. v. Enthusiast Gaming, Inc.*, 2020 WL 7227199, at \*6 (N.D. Cal. Dec. 8, 2020) (quoting *DiscoverOrg Data, LLC v. Bitnine Global, Inc.*, 2020 WL 6562333, at \*5 (N.D. Cal. Nov. 9, 2020)). Here, Plaintiffs have established that Plaintiffs will be prejudiced because Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem have not participated in this litigation and Plaintiffs would be without recourse to recover for the damages caused by Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem if default judgment is not granted. Therefore, the first *Eitel* factor weighs in favor of granting default judgment.

## **2. Second and Third *Eitel* Factors: Merits of Plaintiffs’ Substantive Claims and the Sufficiency of the Complaint**

The second and third *Eitel* factors address the merits and sufficiency of Plaintiffs’ claim as pleaded in the TAC. Courts often analyze these two factors together. *See Dr. JKL Ltd. v. HPC IT Educ. Ctr.*, 749 F. Supp. 2d 1038, 1048 (N.D. Cal. 2010) (“Under an *Eitel* analysis, the merits of plaintiff’s substantive claims and the sufficiency of the complaint are often analyzed together.”). In its analysis of the second and third *Eitel* factors, the Court will accept as true all well-pled allegations regarding liability in the TAC. *See Fair Hous. of Marin*, 285 F.3d at 906 (“[T]he general rule is that well-pled allegations in the complaint regarding liability are deemed true.”). The Court will therefore consider the merits of Plaintiffs’ claim and the sufficiency of the TAC together. The Court first discusses whether Plaintiffs have provided sufficient allegations to state a claim for coerced labor under TVPRA. Second, the Court discusses whether there is an alternative basis for liability under the TVPRA. Finally, the Court discusses the effect of Lesnik’s 2016 settlement on Lesnik’s TVPRA claim.

### **a. Whether Plaintiffs have Stated a Claim for Coerced Labor under the**

## TVPRA

First, Plaintiffs bring a claim pursuant to the TVPRA against Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem. Under the TVPRA, “a defendant is liable for human trafficking for knowingly obtaining an individual’s labor and services by means of actual and threatened serious harm—including financial and psychological harm—or knowingly benefitting from the obtaining of labor by such means.” *Alabado v. French Concepts, Inc.*, 2016 WL 5929247, at \*4 (C.D. Cal. May 2, 2016). The TVPRA includes a civil cause of action under 18 U.S.C. § 1595 that allows victims to seek damages and attorney’s fees from the “perpetrator” of a violation of laws prohibiting trafficking and forced labor. Section 1595(a) also extends liability beyond perpetrators to anyone who “knowingly benefits, financially or by receiving anything of value from participation in a venture which that person knew or should have known” committed a violation of applicable trafficking and forced labor laws. *See Shuvalova v. Cunningham*, 2010 WL 5387770, at \*3 n.3 (N.D. Cal. Dec. 22, 2010) (explaining liability).

Plaintiffs argue that Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem are liable under the TVPRA because they violated 18 U.S.C. § 1589. Section 1589(a) prohibits obtaining labor or services in four ways:

- (1) by means of force, threats of force, physical restraint, or threats of physical restraint to that person or another person;
- (2) by means of serious harm or threats of serious harm to that person or another person;
- (3) by means of the abuse or threatened abuse of law or legal process; or
- (4) by means of any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint[.]

18 U.S.C. § 1589(a)(1)-(4). Specifically, Plaintiffs appear to argue that Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem violated §§ 1589(a)(2) and (3).

Section 1589(c)(2) defines the “serious harm” referenced in § 1589(a)(2) as “any harm, whether physical or nonphysical, including psychological, financial, or reputational harm,” that is serious enough to compel a reasonable person to perform labor to avoid the harm. *See United States v. Dann*, 652 F.3d 1160, 1169 (9th Cir. 2011) (noting statutory amendments in 2000 sought to broaden § 1589 to nonviolent conduct by defining serious harm more broadly). Section 1589(a)(3) prohibits obtaining labor or services “by means of the abuse or threatened abuse of law or legal process.” Accordingly, the Court examines whether Plaintiffs’ allegations demonstrate that Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem coerced Plaintiffs’ labor “by means of serious harm or threats of serious harm to that person or another person”; or “by means of the abuse or threatened abuse of law or legal process . . .” *See* 18 U.S.C. § 1589(a)(2), (3). The Court considers each in turn.

First, the Court considers whether Plaintiffs adequately allege that Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem coerced labor “by means of serious harm or threats of serious harm to that person or another person.” 18 U.S.C. § 1589(a)(2). The TAC alleges that ISM Vuzem d.o.o. threatened to withhold Plaintiffs Lesnik and Papes’ pay if Plaintiffs became too sick to work or otherwise reported an injury on the job. TAC at ¶ 325. ISM Vuzem d.o.o. also allegedly threatened to fly Plaintiffs home without warning at Plaintiffs’ own cost if they did not work every day. *Id.* at ¶ 326. Robert Vuzem also allegedly threatened to disparage Papes’ reputation to other companies if Papes quit working for ISM Vuzem d.o.o. ECF No. 563, at ¶ 107 (“Papes Decl.”). Although these are not allegations of physical harm, § 1589(a)(2) prohibits the coercion of labor through “any harm, whether physical or nonphysical, including psychological, financial, or reputational harm,” that is serious enough to compel a reasonable person to perform labor to avoid the harm. *See Dann*, 652 F.3d at 1169–72 (affirming § 1589 conviction where defendant threatened undocumented nanny with withholding back pay, false accusations of theft, immigration consequences, and the defendant’s potential loss of child custody).



Furthermore, the TAC alleges that ISM Vuzem d.o.o. threatened to cancel Plaintiffs' visas and endanger Plaintiffs' immigration status if they complained or did not work. *See* TAC at ¶ 335; Papes Decl. at ¶¶ 15, 106. "[M]ultiple jurisdictions have found that the threat of deportation may itself constitute a threat sufficient to satisfy the second and/or third element of [§ 1589] forced labor." *Echon v. Sackett*, 2017 WL 4181417, at \*14 (D. Colo. Sept. 20, 2017), *report and recommendation adopted*, 2017 WL 5013116 (D. Colo. Nov. 1, 2017).

Plaintiffs have therefore provided sufficient allegations to establish that ISM Vuzem d.o.o. coerced Plaintiffs' labor under the coerced labor provision, § 1589(a)(2), of the TVPRA by threatening to cancel Plaintiffs' visas and endanger Plaintiffs' immigration status if they complained or did not work; threatening to fly Plaintiffs home without warning at Plaintiffs' own cost if they did not work every day; and by threatening to withhold Lesnik and Papes' pay if Plaintiffs became too sick to work or otherwise reported an injury on the job. Furthermore, Plaintiffs have provided sufficient allegations to establish that Robert Vuzem coerced Plaintiffs' labor under the coerced labor provision, § 1589(a)(2), of the TVPRA by threatening to disparage Papes' reputation to other companies if Papes quit working for ISM Vuzem d.o.o. Accordingly, Plaintiffs' allegations are sufficient to state a claim that Plaintiffs were subject to coerced labor under § 1589(a)(2) by ISM Vuzem d.o.o. and Robert Vuzem.

Second, the Court considers whether Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem coerced labor "by means of the abuse or threatened abuse of law or legal process." 18 U.S.C. § 1589(a)(3). The TAC alleges that ISM Vuzem d.o.o. threatened to cancel Plaintiffs' visas and endanger their immigration status if they complained or did not work. *See* TAC at ¶ 335; Papes Decl. at ¶¶ 15, 106. "[M]ultiple jurisdictions have found that the threat of deportation may itself constitute a threat sufficient to satisfy the second and/or third element of [§ 1589] forced labor." *Echon*, 2017 WL 4181417, at \*14; *Nuñag-Tanedo v. E. Baton Rouge*, 790 F. Supp. 2d 1134, 1146 (C.D. Cal. 2011) (holding threat of deportation constitutes "abuse of legal process" within the meaning of § 1589 in cases

concerning H1-B visa holders); *Aguirre v. Best Care Agency*, 961 F. Supp. 2d 427, 444 (E.D.N.Y. 2013) (stating that “[t]he threat of deportation alone may support a claim for forced labor” under § 1589). Plaintiffs also allege that Ivan Vuzem and Robert Vuzem threatened to sue Lesnik on behalf of the Vuzem entities when Lesnik was hospitalized in San Jose, CA after suffering an accident while at work for ISM Vuzem d.o.o. TAC at ¶ 315.

Plaintiffs have therefore provided sufficient allegations to establish that ISM Vuzem d.o.o coerced Plaintiffs’ labor under the coerced labor provision, § 1589(a)(3), of the TVPRA by threatening to cancel Plaintiffs’ visas and endanger Plaintiffs’ immigration status if they complained or did not work. Furthermore, Plaintiffs have provided sufficient allegations to establish that Robert Vuzem and Ivan Vuzem coerced Plaintiffs’ labor under the coerced labor provision, § 1589(a)(3), of the TVPRA by threatening to sue Lesnik on behalf of the Vuzem entities when Lesnik was hospitalized in San Jose, CA after suffering an accident while at work for ISM Vuzem d.o.o. Accordingly, Plaintiffs’ allegations are sufficient to establish that Plaintiffs were subject to coerced labor under § 1589(a)(3) by Defendants ISM Vuzem d.o.o., Robert Vuzem, and Ivan Vuzem.

In sum, the Court finds that Plaintiffs have stated a claim under the coerced labor provision of the TVPRA, § 1589, against Defendants ISM Vuzem d.o.o., Robert Vuzem, and Ivan Vuzem.

However, Plaintiffs have failed to provide any allegations that Defendants ISM Vuzem USA, Inc. and Vuzem USA, Inc. violated the TVPRA by coercing Plaintiffs’ labor under § 1589. Accordingly, the Court next considers whether Defendants ISM Vuzem USA, Inc. and Vuzem USA, Inc. are liable under an alternative provision of the TVPRA.

**b. Alternative Liability under the TVPRA for ISM Vuzem USA, Inc. and Vuzem USA, Inc.**

Plaintiffs have stated a claim that Defendants ISM Vuzem d.o.o., Robert Vuzem, and Ivan Vuzem directly coerced Plaintiffs’ labor in violation of the coerced labor provision of the TVPRA, § 1589. However, the TVPRA also gives rise to liability to “[w]hoever knowingly benefits, financially or by receiving anything of value, from participation in a venture which has engaged in



1 the providing or obtaining of labor or services by any of the means” proscribed under the four  
2 prongs of 18 U.S.C. § 1589(a), which the Court has discussed above. *See* 18 U.S.C. § 1595(b).  
3 Accordingly, Plaintiffs argue that Defendants ISM Vuzem USA, Inc. and Vuzem USA, Inc. both  
4 knowingly benefited financially from the coerced labor of Plaintiffs.

5 Plaintiffs argue that ISM Vuzem USA, Inc. is liable as a knowing beneficiary of coerced  
6 labor under 18 U.S.C. § 1595(b) because “ISM Vuzem USA, Inc. was the direct contractor with  
7 Eisenman and Tesla” at the Fremont, California worksite at which Plaintiffs worked. Mot. at 14;  
8 TAC at ¶ 213. Thus, Plaintiffs argue, ISM Vuzem USA, Inc. “financially benefitted from this  
9 venture.” *Id.* Furthermore, Plaintiffs argue that “Robert [Vuzem] and Ivan Vuzem operated and  
10 managed their owned business, including in labor recruitment, employment practices, working  
11 conditions at job sites, pay and other business enterprise actions.” *Id.* at 13–14. Accordingly,  
12 because Robert Vuzem and Ivan Vuzem threatened and coerced Plaintiffs directly, the financial  
13 benefits that ISM Vuzem USA, Inc. received from Plaintiffs’ coerced labor were obtained  
14 knowingly. *Id.*

15 The Court agrees. Plaintiffs’ allegations are sufficient to state a claim for TVPRA  
16 beneficiary liability against ISM Vuzem USA, Inc. because Plaintiffs allege that ISM Vuzem  
17 USA, Inc. “knowingly benefit[ed], financially or by receiving anything of value, from  
18 participate[ng] in a venture which has engaged in the providing or obtaining of labor or services  
19 by any of the means” proscribed under the four prongs of 18 U.S.C. § 1589(a). *See* 18 U.S.C. §  
20 1595(a); *Shuvalova*, 2010 WL 5387770, at \*3 n.3 (explaining that violation must be “knowing”).  
21 Accordingly, the Court finds that Plaintiffs have also stated a claim under the TVPRA against ISM  
22 Vuzem USA, Inc.

23 However, Plaintiffs’ motion does not allege that Vuzem USA, Inc. knowingly benefited  
24 financially from the coerced labor of either Plaintiff. The Court therefore finds that Plaintiffs have  
25 failed to state a claim under the TVPRA against Vuzem USA, Inc.

26 Accordingly, the Court DENIES Plaintiffs’ motion for default judgment against Vuzem  
27

USA, Inc. This is because a court may not enter a default judgment if, taking all well-pleaded factual allegations as true, the court finds that Plaintiffs are not entitled to relief under their claim. *See Cripps v. Life Ins. Co. of North America*, 980 F.2d 1261, 1267 (9th Cir. 1992) (explaining that claims that are legally insufficient are not established by default); *see also Buza v. California Dep't of Corr. & Rehab.*, 2010 WL 4316919, at \*1 (N.D. Cal. Oct. 27, 2010) (denying motion for default judgment for failure to state a claim).

**c. Papes has Stated a TVPRA Claim**

In sum, the Court finds that Plaintiff Papes has stated a claim under the TVPRA against Defendants ISM Vuzem d.o.o., ISM Vuzem USA, Inc, Robert Vuzem, and Ivan Vuzem. Accordingly, the Court finds that the second *Eitel* factor (merits of Papes' substantive claim) and third *Eitel* factor (sufficiency of the complaint) weigh in favor of granting default judgment as to Papes' TVPRA claim.

Next, the Court addresses Plaintiff Lesnik. The Court explains below that although Lesnik has stated a claim against Defendants ISM Vuzem d.o.o., ISM Vuzem USA, Inc, Robert Vuzem, and Ivan Vuzem under the TVPRA on the basis of the allegations above, *see supra* Section III(B)(2)(a)-(b), Lesnik's TVPRA claim is barred in the instant case due to Lesnik's 2016 settlement agreement releasing Defendants ISM Vuzem d.o.o., ISM Vuzem USA, Inc, Robert Vuzem, and Ivan Vuzem from liability.

**d. Lesnik's 2016 Settlement Agreement**

In its March 20, 2019 order, the Court granted Defendants Eisenmann and Tesla's motion to dismiss Lesnik's TVPRA claim against Eisenmann and Tesla on the ground that Lesnik's TVPRA claim is barred by a 2016 settlement agreement that Lesnik signed with Eisenmann, Tesla, and ISM Vuzem d.o.o. ECF No. 361, at 36 ("March 20, 2019 order") (explaining that Lesnik's TVPRA claim in the TAC is barred by 2016 settlement agreement). The settlement agreement ("Settlement Agreement") resolved an Alameda County Superior Court action filed after Lesnik was injured while working for ISM Vuzem d.o.o. in Fremont, California. ECF No.

300-3, Ex. A at 3 (“Settlement Agreement”).

The Settlement Agreement released “all wage and hour and employment-related claims” arising out of Lesnik’s employment injury suffered while working for ISM Vuzem d.o.o. in Fremont, CA. Settlement Agreement at 3–4. The Court found in its March 20, 2019 order that Lesnik could have brought his TVPRA claim in the 2016 Alameda County Superior Court action, and that Lesnik’s TVPRA claim was therefore barred because the Settlement Agreement released “all wage and hour and employment-related claims,” and Lesnik’s TVPRA claim is employment-related as shown by Lesnik’s allegations. ECF No. 361 at 36 (quoting from the Settlement Agreement).

Furthermore, the Settlement Agreement not only provides a release of liability for claims against ISM Vuzem d.o.o. and ISM Vuzem USA, Inc. Settlement Agreement at 1. The Settlement Agreement also provides a release of liability for “their current and former agents, employees, officers, directors and divisions, parents and subsidiaries, attorneys, and all of their predecessors-in-interest, successors, assigns and liability insurance carriers.” *Id.* Plaintiffs allege that Robert Vuzem and Ivan Vuzem are directors of ISM Vuzem d.o.o. TAC at 10–11. Accordingly, the Settlement Agreement bars Lesnik’s TVPRA claim in the instant third motion for default judgment against ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Robert Vuzem, and Ivan Vuzem.

Although Plaintiffs do not mention the 2016 Settlement Agreement in the instant third motion for default judgment, Plaintiffs do appear to recognize the limitations the Settlement Agreement places on Lesnik’s claim. Accordingly, Lesnik seeks recovery based only on “actionable wrongs after July of 2016.” Mot. at 9. The Settlement Agreement was signed in June of 2016, and so Lesnik seeks to circumvent the release of liability imposed by the Settlement Agreement by seeking to recover damages caused by “post-2017 actions by the Vuzems individually and on behalf of their companies” after the Settlement Agreement was signed. Mot. at 12.

Specifically, Plaintiffs allege that “Defendants in 2018 and again in 2020 and 2021 took legal action against Mr. Lesnik to make an example of him.” Mot. at 9. Lesnik also alleges that in 2018, Robert Vuzem and Ivan Vuzem tried to get Lesnik “criminally prosecuted.” *Id.* at 12. As a result of these “post-2017 actions by the Vuzems,” Lesnik alleges that he became “anxious and depressed” and in 2018 he was “put on a blood pressure lowering medication.” *Id.* As such, Lesnik alleges that he “sustained injury because of these acts” between 2018 and 2021. *Id.* at 9.

However, Lesnik admits that ISM Vuzem d.o.o. fired him in 2017. *Id.* Accordingly, Lesnik argues that Robert Vuzem and Ivan Vuzem filed a lawsuit against Lesnik “to coerce remaining workers to continue to work,” rather than to coerce Lesnik himself to work. *Id.* Plaintiffs thus argue that Lesnik has stated a claim under the TVPRA even though Lesnik admits that ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Robert Vuzem, and Ivan Vuzem’s actions were not undertaken to coerce Lesnik to work or otherwise provide labor or services for ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Robert Vuzem, and Ivan Vuzem. Plaintiffs’ argument lacks merit.

Plaintiffs’ motion fails to cite a single case that finds a viable TVPRA claim where the plaintiff is not the person or persons defendants sought to coerce into labor or service. Furthermore, the Court does not find any precedent that would expand the civil cause of action under the TVPRA to cover harm caused to individuals who were not themselves coerced into labor or service. Rather, “[s]ection 1595 allows victims *of such forced labor* to recover damages and attorney’s fees for violations of” the TVPRA. *Alabado*, 2016 WL 5929247, at \*4 (emphasis added). Lesnik does not allege that he was forced or coerced to perform any labor or service as a result of ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Robert Vuzem, and Ivan Vuzem’s actions between 2018 and 2021.

Accordingly, the Court finds that Plaintiffs have failed to state a claim under the TVPRA for actions taken by Defendants ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Robert Vuzem, and Ivan Vuzem against Lesnik after he was fired by ISM Vuzem d.o.o. in 2017. Furthermore, Plaintiffs are barred from seeking recovery on behalf of Lesnik for violations of the TVPRA that

took place prior to the 2016 Settlement Agreement.

Accordingly, the Court DENIES Lesnik's motion for default judgment against Defendants ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Robert Vuzem, and Ivan Vuzem. This is because a court may not enter a default judgment if, taking all well-pleaded factual allegations as true, the court finds that Plaintiff is not entitled to relief. *See Cripps*, 980 F.2d at 1267 (explaining that claims that are legally insufficient are not established by default); *see also Buza*, 2010 WL 4316919, at \*1 (denying motion for default judgment for failure to state a claim).

### 3. Fourth *Eitel* Factor: The Amount of Money at Stake

Under the fourth *Eitel* factor, "the court must consider the amount of money at stake in relation to the seriousness of Defendant's conduct." *PepsiCo Inc. v. Cal Sec. Cans*, 238 F. Supp. 2d 1172, 1176 (C.D. Cal. 2002); *see also Eitel*, 782 F.2d at 1471–72. "The Court considers Plaintiff's declarations, calculations, and other documentation of damages in determining if the amount at stake is reasonable." *Trung Giang Corp. v. Twinstar Tea Corp.*, 2007 WL 1545173, at \*12 (N.D. Cal. May 29, 2007).

Default judgment is disfavored when a large amount of money is involved or is unreasonable in light of the potential loss caused by the defendant's actions. *Id.* However, courts have found that this factor "presents no barrier to default judgment" as long as the potential damages were "proportional to the harm alleged." *See Liu Hongwei v. Velocity V Ltd.*, 2018 WL 3414053, at \*8 (C.D. Cal. July 11, 2018) (finding that a request of \$4,000,000 was justified); *United States v. Roof Guard Roofing Co.*, 2017 WL 6994215, at \*3 (N.D. Cal. Dec. 14, 2017) (holding that a request for over \$1,000,000 was reasonable because the tax debt was substantiated with proof provided by the government).

Here, Papes seeks to recover \$1,500,000 in compensatory damages and \$1,500,000 in putative damages. Mot. at 12–13. For the reasons explained below, *infra* Section III(C)(1)-(2), the Court concludes that an award of \$305,500 in compensatory damages and \$305,500 in punitive damages is reasonable and proportional to the TVPRA violation alleged herein. This

award of damages is within the range of awards courts have found appropriate in cases involving similar claims. *See, e.g., Alabado*, 2016 WL 5929247, at \*14 (awarding between \$192,400 and \$480,000 in compensatory damages and between \$192,400 and \$480,000 in punitive damages to each plaintiff for TVPRA claim); *Carazani v. Zegarra*, 972 F. Supp. 2d 1, 25 (D.D.C. 2013) (awarding plaintiff \$433,200 in compensatory damages and \$543,041.28 in punitive damages for TVPRA claim). Therefore, the fourth *Eitel* factor weighs in favor of default judgment.

#### 4. Fifth and Sixth *Eitel* Factors: Potential Disputes of Material Fact and Excusable Neglect

The fifth *Eitel* factor considers the possibility of disputes as to any material facts in the case. Where a defendant fails to appear in an action, a court can infer “the absence of the possibility of a dispute concerning material facts.” *Solaria Corp. v. T.S. Energie e Risorse, S.R.I.*, 2014 WL 7205114, at \*3 (N.D. Cal. Dec. 17, 2014). Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem have failed to make an appearance in this case. The Court therefore takes the allegations in the complaint as true and holds that there is no dispute over material facts. *Fair Hous. of Marin*, 285 F.3d at 906 (“With respect to the determination of liability and the default judgment itself, the general rule is that well-pled allegations in the complaint regarding liability are deemed true.”). Furthermore, the evidence provided by Papes establishes that Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem violated the TVPRA with respect to their actions against Papes. TAC at ¶¶ 312–353 (providing allegations regarding Defendants’ conduct with respect to violations of the TVPRA).

The sixth *Eitel* factor considers whether failure to appear was the result of excusable neglect. Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem were each properly served under the Hague Service Convention and Federal Rule of Civil Procedure 4(f). *See* Section III(A)(3), *supra* (explaining why service was proper). Nonetheless, Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem have not made an appearance nor challenged the entry of default in this case. Based on this record, nothing before the Court suggests that Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Robert



Vuzem; and Ivan Vuzem's failure to appear or litigate this case was the result of excusable neglect. As such, Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem have no excusable reason to fail to appear in the instant case.

#### 5. Seventh *Eitel* Factor: Policy Favoring Decision on the Merits

Although the policy favoring decision on the merits generally weighs strongly against awarding default judgment, district courts regularly hold that the policy against default judgment, standing alone, is not dispositive, especially where a defendant fails to appear or defend himself. *See, e.g., Craigslist, Inc. v. Naturemarket, Inc.*, 694 F. Supp. 2d 1039, 1061 (N.D. Cal. 2010) (explaining that where defendants have failed to appear, policy of favoring decisions on the merits will not block default judgment); *Hernandez v. Martinez*, 2014 WL 3962647, at \*9 (N.D. Cal. Aug. 13, 2014) (same). Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem were properly served and have not made an appearance nor challenged the entry of default. Thus, the likelihood of the case proceeding to a resolution on the merits is low. Accordingly, the Court finds that this factor slightly weighs against default judgment.

#### 6. Balancing of *Eitel* Factors

In sum, the following six *Eitel* factors weigh in favor of default judgment as to Papes' TVPRA claim: (1) the possibility of prejudice, (2) the merits of Papes' substantive claim, (3) the sufficiency of the complaint, (4) the sum of money at stake in the action, (5) the possibility of a dispute concerning material facts, and (6) excusable neglect. *See Eitel*, 782 F.2d at 1471–72. The final factor, the policy favoring decisions on the merits, weighs slightly against default judgment. The Court concludes that the last *Eitel* factor is outweighed by the other six factors that favor default judgment. *See, e.g., Michael Grecco Prods., Inc.*, 2020 WL 7227199, at \*6 (concluding that the last *Eitel* factor, which weighed slightly against default judgment, was outweighed by the first six *Eitel* factors, which weighed in favor of default judgment); *DiscoverOrg*, 2020 WL 6562333, at \*8 (same). Thus, the Court concludes that default judgment is appropriate as to Papes' TVPRA claim against Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Robert

Vuzem; and Ivan Vuzem.

### C. Damages

A plaintiff who seeks default judgment “must also prove all damages sought in the complaint.” *Dr. JKL Ltd.*, 749 F. Supp. 2d at 1046 (citing *Philip Morris USA, Inc. v. Castworld Prods., Inc.*, 219 F.R.D. 494, 498 (C.D. Cal. 2003)). Federal Rule of Civil Procedure 55 does not require the Court to conduct a hearing on damages, as long as it ensures that there is an evidentiary basis for the damages awarded in the default judgment order. *See Action SA v. Marc Rich & Co.*, 951 F.2d 504, 508 (2d Cir. 1991), *abrogated on other grounds as recognized by Day Spring Enters., Inc. v. LMC Int’l, Inc.*, 2004 WL 2191568 (W.D.N.Y. Sept. 24, 2004).

In the instant case, Papes seeks the following relief: (1) compensatory damages; (2) punitive damages; and (3) attorney’s fees and costs. The Court addresses each form of relief in turn.

#### 1. Compensatory Damages

First, Papes seeks \$1,500,000 in compensatory damages against Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem. Mot. at 10. With respect to a coerced labor claim under the TVPRA, a plaintiff may recover emotional distress damages for losses suffered that are the “proximate result of the offense.” *See* 18 U.S.C. § 2259(b)(3). A plaintiff may also recovery damages for “lost income” suffered as a “proximate result of the offense.” *Id.* at § 2259(c)(2)(D). “Additionally, courts determine if the award is within a reasonable range by looking to similar awards for trafficking victims.” *Carazani*, 972 F. Supp. 2d at 25 (internal quotation marks omitted).

Papes alleges that he has “suffered great physical harm and emotional stress from working under conditions of coerced labor,” and has “suffered hypertension from stress and anxiety.” Mot. at 10. Papes further alleges that he “cannot now go for long walks, play soccer, ride a bicycle or do other things.” *Id.* Papes attests that he worked in the United States for ISM Vuzem d.o.o for 611 days. *Id.* at 11. Papes therefore argues that he is entitled to damages for emotional distress



1 equivalent to \$2,000 for each day of forced labor for a total of \$1,222,000. *Id.* at 12. Papes  
2 further argues that as a result of the harm he experienced, he is unable to work and is entitled to  
3 \$200,000 for loss of income. Accordingly, Papes seeks a total of \$1,500,000 in compensatory  
4 damages. *Id.* The Court notes that \$1,222,000 plus \$200,000 is \$1,522,000, but Papes states that  
5 he requests a total award of \$1,500,000 in compensatory damages.

6 In order to determine whether Papes' requested award is reasonable, the Court looks to  
7 similar awards in other cases. *Carazani*, 972 F. Supp. 2d at 25 (looking to other cases to gauge  
8 reasonableness); *Alabado*, 2016 WL 5929247, at \*13 (same). In similar cases dealing with  
9 victims of forced labor, courts generally award plaintiffs \$400-\$500 per day for damages resulting  
10 from emotional distress. *See, e.g., Wang v. Gold Mantis Constr. Decoration, LLC*, 2021 WL  
11 2065398, at \*9 (D. N. Mar. I. May 24, 2021) (awarding \$425 per day for forced labor); *Alabado*,  
12 2016 WL 5929247, at \*13 (awarding \$400 per day for forced labor); *Lipenga v. Kambalame*, 219  
13 F. Supp. 3d 517, 531–32 (D. Md. 2016) (awarding \$400 per day for forced labor); *Lagasan v. Al-*  
14 *Ghasel*, 92 F. Supp. 3d 445, 458 (E.D. Va. 2015) (awarding \$400 per day for 18 months of forced  
15 labor); *Carazani*, 972 F. Supp. 2d at 25 (awarding \$400 per day for forced labor claim); *Doe v.*  
16 *Howard*, 2012 WL 3834867, at \*3–4 (E.D. Va. 2012) (awarding \$500 per day for forced labor).

17 Thus, based on the awards of compensatory damages for emotional distress in other cases,  
18 the Court finds that \$500 per day is a reasonable award. An award of \$500 per day for 611 days of  
19 forced labor results in an award of \$305,500 for emotional distress.

20 Next, the Court finds that after reviewing Papes' declaration, an award of \$200,000 for loss  
21 of income lacks evidentiary support. Papes attests that due to his detrimental treatment while  
22 coerced into labor by Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Robert Vuzem; and  
23 Ivan Vuzem, Papes is currently unable to work and earn income. Papes Decl. at ¶¶ 120, 128.  
24 Plaintiffs argue that "Papes is not able to work until his condition substantially improves." Mot. at  
25 12.

26 However, Papes has not provided any evidence to support an award of \$200,000. For

1 example, Papes does not attest to how much he would have expected to make each day that he has  
2 been unable to work and how many days he has been unable to work. Indeed, Papes provides no  
3 explanation whatsoever for how the \$200,000 request for loss of income was calculated. A  
4 plaintiff who seeks default judgment must “prove all damages sought in the complaint.” *Dr. JKL*  
5 *Ltd.*, 749 F. Supp. 2d at 1046. Papes has failed to prove that he is entitled to \$200,000 in lost  
6 income because Papes has failed to provide sufficient evidence to support an award of that  
7 amount.

8 Accordingly, the Court finds that Papes is entitled to a total award of \$305,500 in  
9 compensatory damages. This award is similar to awards found in other cases under the TVPRA.  
10 See, e.g., *Alabado*, 2016 WL 5929247, at \*14 (awarding up to \$480,000 in compensatory damages  
11 to each plaintiff for TVPRA claim); *Carazani*, 972 F. Supp. 2d at 25 (awarding plaintiff \$433,200  
12 in compensatory damages for TVPRA claim).

## 13 **2. Punitive Damages**

14 Second, Papes requests an award of punitive damages equal to the award of compensatory  
15 damages. Mot. at 13. The Ninth Circuit has recognized that punitive damages are available under  
16 the TVPRA. See *Ditullio v. Boehm*, 662 F.3d 1091, 1094 (9th Cir. 2011) (“We hold that the  
17 TVPA permits recovery of punitive damages because it creates a cause of action that sounds in tort  
18 and punitive damages are available in tort actions under the common law.”). Courts therefore  
19 routinely award punitive damages at a 1:1 ratio to compensatory damages for forced labor claims  
20 under the TVPRA. See, e.g., *Wang*, 2021 WL 2065398, at \*16 (awarding punitive damages at a  
21 1:1 ratio with compensatory damages); *Alabado*, 2016 WL 5929247, at \*14 (same); *Carazani*, 972  
22 F. Supp. 2d at 26 (same). Accordingly, the Court awards Papes \$305,500 in punitive damages.

## 23 **3. Attorney’s Fees and Costs**

24 Third, Papes seeks attorney’s fees against Defendants ISM Vuzem d.o.o.; ISM Vuzem  
25 USA, Inc.; Robert Vuzem; and Ivan Vuzem. Mot. at 2. However, as to Papes’ request for  
26 attorney’s fees, the instant third motion for default judgment states only that Papes seeks  
27

“compensatory damages, exemplary damages, and attorney’s fees against defendants.” Mot. at 2. In the damages section of the instant third motion for default judgment, Papes merely states “[a]ttorney’s fees should also be awarded.” Mot. at 30. Papes provides no further statements or information regarding attorney’s fees. Papes does not request a specific amount of attorney’s fees. Furthermore, Papes does not provides declarations or affidavits containing a statement of the services rendered by each person for whom fees are requested and a brief description of their relevant qualifications as is required by Civil Local Rule 54-5(b)(2)-(3). Accordingly, the Court DENIES Papes’ request for attorney’s fees.

In sum, the Court finds that Papes is entitled to an award of \$305,500 in compensatory damages and \$305,500 in punitive damages. Papes is thus entitled to a total award of \$611,000 in damages against Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem.

#### **IV. CONCLUSION**

For the foregoing reasons, the Court GRANTS Papes’ third motion for default judgment on Plaintiffs’ TVPRA claim against Defendants ISM Vuzem d.o.o.; ISM Vuzem USA, Inc.; Robert Vuzem; and Ivan Vuzem. Furthermore, the Court awards Papes \$305,500 in compensatory damages and \$305,500 in punitive damages. Thus, Papes is entitled to a total award of \$611,000 in damages.

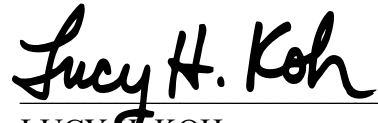
The Court DENIES Papes’ request for attorney’s fees for failure to request a specific amount of attorney’s fees and for failure to provide any information or documentation supporting Papes’ request.

The Court DENIES Papes’ third motion for default judgment on Plaintiffs’ TVPRA claim against Defendants Vuzem USA, Inc. and HRID-Mont, d.o.o.

Finally, the Court DENIES Lesnik’s third motion for default judgment on Plaintiffs’ TVPRA claim against Defendants ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Vuzem USA, Inc., Robert Vuzem, Ivan Vuzem, and HRID-Mont, d.o.o.

**IT IS SO ORDERED.**

Dated: September 19, 2021



LUCY H. KOH  
United States District Judge

United States District Court  
Northern District of California

US, ex rel. Lesnik v Eisenmann SE, et al.  
Case No: 5:16-cv-01120 LHK

# Exhibit D

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

GREGOR LESNIK and STJEPAN  
PAPES,

Plaintiffs,

v.

EISENMANN SE, et al.,  
Defendants.

Case No. 16-cv-01120-BLF

**ORDER DENYING DEFAULT  
JUDGMENT ON CLAIMS 2 AND 3;  
GRANTING RECONSIDERATION OF  
DENIAL OF ATTORNEYS' FEES ON  
CLAIM 9; AND DENYING WITHOUT  
PREJUDICE RULE 54 MOTION FOR  
ATTORNEYS' FEES**

[Re: ECF 613, 614, 615]

Before the Court are three motions filed by Plaintiff Stjepan Papes ("Papes"): (1) a renewed motion for default judgment on Claims 2 and 3, *see* Mot. for Def. Jud., ECF 613; (2) an administrative motion for leave to file a motion for reconsideration of a prior order denying attorneys' fees in connection with Claim 9, *see* Admin. Mot., ECF 615; and (3) a motion for attorneys' fees and costs on Claims 2, 3, and 9 under Federal Rule of Civil Procedure 54, *see* Fees Mot., ECF 614. Plaintiff Gregor Lesnik ("Lesnik") is not a moving party with respect to the current motions. The Court finds the motions suitable for decision without oral argument. *See* Civ. L.R. 7-1(b).

For the reasons discussed below, Papes' fourth motion for default judgment on Claims 2 and 3 is DENIED. Papes' administrative motion for leave to file a motion for reconsideration, and his motion for reconsideration, are GRANTED. Finally, Papes' Rule 54 motion for attorneys' fees and costs is DENIED WITHOUT PREJUDICE.

**I. BACKGROUND**

This case was filed in 2016 and was litigated before District Judge Lucy H. Koh for nearly six years before it was reassigned the undersigned judge in 2022. The operative third amended complaint (“TAC”) alleges that Robert Vuzem and Ivan Vuzem are residents of Slovenia who own and hold executive positions at ISM Vuzem, d.o.o., a Slovenia-based company. *See* TAC ¶¶ 9-11, ECF 269. ISM Vuzem USA, Inc., now dissolved, was a wholly owned subsidiary of ISM Vuzem, d.o.o. *See id.* ¶ 12. Vuzem USA, Inc. is a wholly owned subsidiary of ISM Vuzem, d.o.o. *See id.* ¶ 13. HRID-MONT d.o.o. is a Slovenia-based company owned by the wife of Robert Vuzem. *See id.* ¶ 14. These defendants (“the Vuzem Defendants”) allegedly trafficked low-skilled European laborers by transporting them to the United States to perform work for American manufacturers for less than minimum wage and without overtime pay. *See id.* ¶¶ 55-57. Lesnik, a resident of Slovenia, and Papes, a resident of Croatia, allegedly were transported to the United States by the Vuzem Defendants to work at various car manufacturing plants. *See id.* ¶¶ 59-60.

The TAC asserts thirteen claims against thirty-seven defendants on behalf of Lesnik and Papes and all others similarly situated. *See generally* TAC. While the case was pending before Judge Koh, most of those claims and defendants were dismissed. *See* Status Report, ECF 605. The only claims remaining in the case are three claims asserted by Plaintiff Papes, proceeding individually, against the Vuzem Defendants: Claim 2 for minimum wages under the Fair Labor Standards Act (“FLSA”), Claim 3 for overtime wages under the FLSA, and Claim 9 for trafficking and coerced labor under the Trafficking Victims Protection Reauthorization Act (“TVPRA”). *See id.* The Vuzem Defendants have defaulted. *See* Clerk’s Entries of Default, ECF 430-31, 444-47.

Judge Koh denied three prior motions for default judgment against the Vuzem Defendants on Claims 2 and 3, without prejudice. *See* Prior Order Re Claims 2 and 3, ECF 587. Papes now brings a fourth motion for default judgment on Claims 2 and 3. Judge Koh granted in part Papes’ prior motion for default judgment on Claim 9 and denied Papes’ request for attorneys’ fees in connection with Claim 9. *See* Prior Order Re Claim 9, ECF 586. Papes seeks reconsideration of Judge Koh’s denial of attorneys’ fees in connection with Claim 9. Finally, Papes seeks an award of attorneys’ fees and costs in connection with Claims 2, 3, and 9.

**II. MOTION FOR DEFAULT JUDGMENT ON CLAIMS 2 AND 3 (ECF 613)**

On September 20, 2021, Judge Koh issued an order denying without prejudice Papes' third motion for default judgment against the Vuzem Defendants on Claims 2 and 3, which seek minimum wages and overtime wages under the FLSA. This Court discusses Judge Koh's ruling where relevant to Papes' current fourth motion for default judgment on Claims 2 and 3.

**A. Legal Standard on Default Judgment**

Default may be entered against a party who fails to plead or otherwise defend an action, who is neither a minor nor an incompetent person, and against whom a judgment for affirmative relief is sought. Fed. R. Civ. P. 55(a). After an entry of default, a court may, in its discretion, enter default judgment. Fed. R. Civ. P. 55(b)(2); *Aldabe v. Aldabe*, 616 F.2d 1089, 1092 (9th Cir. 1980).

In deciding whether to enter default judgment, a court may consider the following factors: (1) the possibility of prejudice to the plaintiff; (2) the merits of the plaintiff's substantive claims; (3) the sufficiency of the complaint; (4) the sum of money at stake in the action; (5) the possibility of a dispute concerning material facts; (6) whether the default was due to excusable neglect; and (7) the strong policy underlying the Federal Rules of Civil Procedure favoring decisions on the merits. *See Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986).

In considering these factors, all factual allegations in the plaintiff's complaint are taken as true, except those related to damages. *See TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987). When the damages claimed are not readily ascertainable from the pleadings and the record, the court may either conduct an evidentiary hearing or proceed on documentary evidence submitted by the plaintiff. *See Johnson v. Garlic Farm Truck Ctr. LLC*, 2021 WL 2457154, at \*2 (N.D. Cal. Jun. 16, 2021).

**B. Discussion**

"When entry of judgment is sought against a party who has failed to plead or otherwise defend, a district court has an affirmative duty to look into its jurisdiction over both the subject matter and parties." *In re Tuli*, 172 F.3d 707, 712 (9th Cir. 1999). The Court discusses in turn jurisdiction, service of process, and the *Eitel* factors.



# 1. Jurisdiction

Judge Koh previously determined that federal question jurisdiction exists with respect to Claims 2 and 3 because they are brought under a federal statute, the FLSA. *See* Prior Order Re Claims 2 and 3 at 7-8. This Court agrees that federal question jurisdiction exists on that basis.

Judge Koh previously determined that personal jurisdiction exists with respect to five of the six Vuzem Defendants. *See* Prior Order Re Claims 2 and 3 at 8-12. Judge Koh found that Vuzem USA is subject to general personal jurisdiction based on factual allegations that it was a California corporation prior to its dissolution. *See id.* This Court agrees. *See Ranza v. Nike, Inc.*, 793 F.3d 1059, 1069 (9th Cir. 2015) (“The paradigmatic locations where general jurisdiction is appropriate over a corporation are its place of incorporation and its principal place of business.”); Cal. Corp. Code § 2010(a) (“A corporation which is dissolved nevertheless continues to exist for the purpose of . . . defending actions . . . against it[.]”).

Judge Koh found that ISM Vuzem d.o.o., ISM Vuzem USA, Robert Vuzem, and Ivan Vuzem are subject to specific personal jurisdiction based on factual allegations establishing that those defendants purposefully directed their activities to California and availed themselves of the privilege of conducting business in California; that Claims 2 and 3 arise out of those forum-related activities; and that exercise of jurisdiction over ISM Vuzem d.o.o., ISM Vuzem USA, Robert Vuzem, and Ivan Vuzem is reasonable. *See* Prior Order Re Claims 2 and 3 at 10-12. This Court agrees fully with Judge Koh’s analysis. The TAC alleges among other things that ISM Vuzem d.o.o. and ISM Vuzem USA entered into contracts for construction of facilities at the Tesla manufacturing plant in Fremont, California, and that Robert and Ivan Vuzem own and control the operations of ISM Vuzem d.o.o. and ISM Vuzem USA. *See* TAC ¶¶ 16, 213. Those and similar factual allegations in the TAC, which are taken as true for purposes of the motion for default judgment, are sufficient to satisfy the requirements for specific personal jurisdiction under the three-part test used in the Ninth Circuit. *See Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d 797, 802 (9th Cir. 2004).

Judge Koh found that the sixth of the Vuzem Defendants, HRID-MONT d.o.o., is not subject to specific personal jurisdiction because the TAC contains no allegations that HRID-

MONT d.o.o. directed any relevant activities toward California. *See* Prior Order Re Claims 2 and 3 at 11. Papes argues in his current motion that this Court may exercise specific personal jurisdiction over HRID-MONT d.o.o. under an alter ego theory. The alter ego theory of personal jurisdiction was not addressed in Judge Koh’s prior order. *See id.* Personal jurisdiction over a corporation may be established by showing that the corporation is the alter ego of other entities or individuals as to whom personal jurisdiction exists. *See Am. Tel. & Tel. Co. v. Compagnie Bruxelles Lambert*, 94 F.3d 586, 591 (9th Cir. 1996) (applying California law). The test is whether (1) there is such unity of interest and ownership that the separate personalities of the corporations no longer exist and (2) failure to disregard the corporations’ separate identities would result in fraud or injustice. *See id.*

Here, the TAC alleges that “between Ivan Vuzem and Robert Vuzem and each of ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Vuzem USA, Inc., and HRID-MONT d.o.o. there is such a unity of interest and ownership between the entities and their equitable owners that the separate personalities of the entities and the owners do not in reality exist.” TAC ¶ 17. Papes also asserts that Robert and Ivan Vuzem transferred assets between ISM Vuzem, d.o.o. and HRID-Mont d.o.o., and that individuals were treated as employees of ISM Vuzem, d.o.o. and HRID-Mont d.o.o. at different times. *See* Mot. for Def. Jud. at 9-10. The Court finds that it may exercise personal jurisdiction over HRID-Mont d.o.o. based on allegations and evidence establishing that it is an alter ego of the other Vuzem Defendants.

## 2. Service of Process

When a plaintiff requests default judgment, the court must assess whether the defendant was properly served with notice of the action. *See Jackson v. Hayakawa*, 682 F.2d 1344, 1347 (9th Cir. 1982); *Solis v. Cardiografix*, No. 12-cv-01485, 2012 WL 3638548, at \*2 (N.D. Cal. Aug. 22, 2012). Judge Koh previously reviewed the proofs of service filed in this case and found deficiencies only with respect to service on Defendants Magna d.o.o. and We-Kr d.o.o. *See* Prior Order Re Claims 2 and 3 at 12-14. Judge Koh expressly found that service on ISM Vuzem d.o.o., ISM Vuzem USA, Vuzem USA, Robert Vuzem, and Ivan Vuzem was compliant with Federal Rule of Civil Procedure 4 and the Convention on the Service Abroad of Judicial and Extrajudicial

Documents in Civil and Commercial Matters (“Hague Service Convention”), 20 U.S.T. 361, T.I.A.S. No. 6638. *See id.* The proof of service filed for HRID-Mont d.o.o. is substantially identical to the proof of service filed for ISM Vuzem d.o.o. *Compare* POS re HRID-Mont d.o.o., ECF 364, *with* POS re ISM Vuzem d.o.o., ECF 363. This Court agrees with Judge Koh’s analysis and finds no basis to revisit it. Accordingly, this Court finds that the service requirement is satisfied with respect to all Vuzem Defendants.

### 3. *Eitel* Factors

Next, the Court considers whether default judgment against the Vuzem Defendants is warranted under the *Eitel* factors.

#### a. Factor 1 – Possibility of Prejudice

Under the first *Eitel* factor, the Court finds that Papes would be prejudiced without a default judgment against the Vuzem Defendants on Claims 2 and 3. Unless default judgment is entered, Papes will have no other means of recourse on those claims. *See Ridola v. Chao*, 2018 WL 2287668, at \*5 (N.D. Cal. May 18, 2018) (plaintiff prejudiced without default judgment because she “would have no other means of recourse against Defendants for the damages caused by their conduct”). The first factor therefore weighs in favor of granting default judgment.

#### b. Factors 2 and 3 – Merits and Sufficiency of Claims

The second and third *Eitel* factors address the merits and sufficiency of Papes’ claims as pleaded in the TAC. Courts often analyze these two factors together. *See Dr. JKL Ltd. v. HPC IT Educ. Ctr.*, 749 F. Supp. 2d 1038, 1048 (N.D. Cal. 2010) (“Under an *Eitel* analysis, the merits of plaintiff’s substantive claims and the sufficiency of the complaint are often analyzed together.”). “[T]he general rule is that well-pled allegations in the complaint regarding liability are deemed true.” *Fair Hous. of Marin v. Combs*, 285 F.3d 899, 906 (9th Cir. 2002).

Claim 2 alleges failure to pay minimum wages under the FLSA, 29 U.S.C. § 206(a). Claim 3 alleges failure to pay overtime wages under the FLSA, 29 U.S.C. § 207(a). “To establish a minimum-wage or overtime violation of the FLSA, Plaintiff must establish three elements: (1) she was an employee of Defendants, (2) she was covered under the FLSA, and (3) Defendants failed to pay her minimum wage or overtime wages.” *Smith v. Nov. Bar N Grill LLC*, 441 F.

Supp. 3d 830, 834 (D. Ariz. 2020).

### i. Employee of Defendants

With respect to the first element, the Ninth Circuit has held that “the definition of ‘employer’ under the FLSA is not limited by the common law concept of ‘employer,’ but is to be given an expansive interpretation in order to effectuate the FLSA’s broad remedial purposes.” *Lambert v. Ackerley*, 180 F.3d 997, 1011-12 (9th Cir. 1999) (internal quotation marks and citation omitted). For example, “[w]here an individual exercises control over the nature and structure of the employment relationship, or economic control over the relationship, that individual is an employer within the meaning of the Act, and is subject to liability.” *Id.* at 1012 (internal quotation marks and citation omitted). Thus, in *Lambert*, the Ninth Circuit held that the chief executive officer and the chief operating officer of the defendant corporations’ corporate parent were “employers” who could be held liable under FLSA. *See id.*

The TAC alleges that each of the Vuzem Defendants was Papes’ employer within the meaning of the FLSA. *See* TAC ¶ 241. The TAC alleges that Papes was employed by ISM Vuzem, d.o.o., *see* TAC ¶ 60; each of the corporate Vuzem Defendants was the alter ego of the others, *see* TAC ¶ 17; the corporate Vuzem Defendants shared laborers, *see* TAC ¶ 15; and Robert and Ivan Vuzem controlled all aspects of the Corporate Vuzem Defendants, *see* TAC ¶¶ 10-11, 16-17. Those allegations, taken as true, establish that Papes was an employee of each of the Vuzem Defendants for purposes of the FLSA.

### ii. Covered under the FLSA

With respect to the second element, an individual is covered under the FLSA if the individual “works for an enterprise engaged in commerce.” *Smith*, 441 F. Supp. 3d at 841. The TAC alleges that the Vuzem Defendants are engaged in interstate commerce and/or the production of goods for commerce, within the meaning of the FLSA. *See* TAC ¶ 241.

### iii. Failure to Pay Minimum or Overtime Wages

With respect to the third element, the TAC alleges that the Vuzem Defendants “suffered and permitted” Papes and others “to routinely work more than forty (40) hours a workweek while paying them less than minimum wages and without overtime compensation.” TAC ¶¶ 239, 254.

1 These general and conclusory allegations are insufficient to establish that Papes was paid less than  
 2 minimum wages and was not paid earned overtime compensation. In order to establish a failure to  
 3 pay minimum wages in violation of the FLSA, the employee must show that in a given work  
 4 week, the total amount paid divided by the hours worked falls below the minimum wage set by the  
 5 statute. *See Durland v. Straub*, No. 3:20-CV-00031-IM, 2022 WL 2704169, at \*5 (D. Or. July 12,  
 6 2022). In order to establish a failure to pay overtime wages, the employee must show that in a  
 7 given work week, the employee worked more than forty hours and was not paid time and a half for  
 8 all hours in excess of forty. *See id.* at \*6. The TAC does not allege those specifics.

9 Judge Koh denied Papes' prior motion for default judgment on the basis that he failed to  
 10 provide adequate support for his minimum wages and overtime claims. *See Prior Order Re*  
 11 *Claims 2 and 3* at 15-19. Judge Koh noted that Papes had attempted to provide the necessary  
 12 information in his motion, but had misstated the federal minimum wage as \$7.50 when in fact it  
 13 was \$7.25, had made inconsistent statements regarding when and how much he was paid, and had  
 14 improperly included transit time in his work hours. *See id.*

15 This Court finds that Papes once again has failed to provide adequate support for his  
 16 minimum wages and overtime claims under the FLSA. Papes submits a Further Supplemental  
 17 Declaration in support of his motion, to which are appended numerous spreadsheets and exchange  
 18 rate charts that he presumably believes support his claims. The spreadsheets and charts are not  
 19 summarized or totaled in the declaration. Other Courts have denied motions for default judgment  
 20 when confronted with similar unwieldy evidence offered in support of a minimum wage claim  
 21 under the FLSA. *See Durland*, 2022 WL 2704169, at \*6 ("Further, this Court cannot sift through  
 22 pages of spreadsheets and pay stubs – some illegible – in an effort to infer whether a minimum  
 23 wage violation occurred.").

24 The Court observes that the Further Supplemental Declaration refers the Court to several  
 25 prior declarations and exhibits filed in this case, citing the ECF numbers for those documents and  
 26 apparently expecting the Court to track them down and print them for reference in connection with  
 27 the current motion. The Court's Standing Order Re Civil Cases expressly provides that "All  
 28 factual and legal bases for a party's position with respect to a motion must be presented in the

briefing on that motion. Arguments presented in earlier-filed briefs or documents may not be incorporated by reference.” Standing Order § IV.D.

In short, Papes has failed to establish that his FLSA claims are meritorious through the allegations of the TAC or through the Further Supplemental Declaration submitted in support of his motion. The second and third factors therefore weigh against granting default judgment. “Of all the *Eitel* factors, courts often consider the second and third factors to be the most important.” *Vietnam Reform Party v. Viet Tan - Vietnam Reform Party*, 416 F. Supp. 3d 948, 962 (N.D. Cal. 2019) (internal quotation marks and citation omitted). Thus, Papes’ failure on these factors is fatal to his motion for default judgment.

The Court nonetheless briefly addresses the remaining *Eitel* factors for the sake of completeness.

#### **c. Factor 4 – Sum of Money at Stake**

Under the fourth *Eitel* factor, the Court must consider the amount of money at stake in relation to the seriousness of the Vuzem Defendants’ conduct. “Default judgment is disfavored where the sum of money at stake is too large or unreasonable in light of defendant’s actions.” *Love v. Griffin*, No. 18-CV-00976-JSC, 2018 WL 4471073, at \*5 (N.D. Cal. Aug. 20, 2018), report and recommendation adopted, No. 18-CV-00976-JD, 2018 WL 4471149 (N.D. Cal. Sept. 17, 2018). As noted above, Papes’ declaration and attached spreadsheets and charts do not provide a summary or total of unpaid wages claimed. In his motion, he asserts that he seeks unpaid wages in the amount of \$39,693.46, plus liquidated damages in an amount equal to the unpaid wages of \$39,693.46, plus pre-judgment interest. Had those damages been substantiated, they would not have been too large or unreasonable in light of the Vuzem Defendants’ alleged blatant violations of the FLSA and trafficking. The fourth *Eitel* factor favors default judgment.

#### **d. Factor 5 – Possibility of Dispute**

Under the fifth *Eitel* factor, the Court considers whether there is a possibility of a dispute over any material fact. *See Love*, 2018 WL 4471073, at \*5; *Ridola*, 2018 WL 2287668, at \*13. Because Papes has failed to establish an entitlement to unpaid minimum or overtime wages, there is a possibility of dispute on his FLSA claims. This factor weighs against default judgment.



**e. Factor 6 – Reason for Default**

Under the sixth *Eitel* Factor, the Court considers whether the default was due to excusable neglect. There is no indication on this record that the Vuzem Defendants’ failure to respond to this action was due to excusable neglect. This factor favors default judgment.

**f. Factor 7 – Policy Favoring Decision on the Merits**

The seventh *Eitel* factor, which is the strong policy favoring decisions on the merits, weighs against default judgment. In cases where the other *Eitel* factors weigh in favor of default judgment, the seventh factor will not be an impediment to granting default judgment. *See Ridola*, 2018 WL 2287668, at \*13 (“Although federal policy favors decision on the merits, Rule 55(b)(2) permits entry of default judgment in situations, such as this, where a defendant refuses to litigate.”). That is not the case here, however, where several of the *Eitel* factors weigh against default judgment.

**g. Conclusion**

Only the first, fourth, and sixth of the *Eitel* factors weigh in favor of default judgment. The second, third, fifth, and seventh factors weigh against default judgment. As noted above, the second and third factors are the most important. Accordingly, Papes’ fourth motion for default judgment on Claims 2 and 3 is DENIED. No further motions for default judgment on Claims 2 and 3 will be entertained.

**III. MOTION FOR RECONSIDERATION (ECF 615)**

Judge Koh entered an order granting in part and denying in part Papes’ motion for default judgment on Claim 9 for trafficking and coerced labor under the TVPRA. *See* Prior Order Re Claim 9, ECF 586. Specifically, Judge Koh granted the motion as to ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Robert Vuzem, and Ivan Vuzem, and denied the motion as to Vuzem USA, Inc. and HRID-Mont, d.o.o. *See id.* at 31. Judge Koh awarded Papes \$305,500 in compensatory damages and \$305,500 in punitive damages, for a total award of \$611,000 in damages. *See id.* However, Judge Koh denied Papes’ request for attorneys’ fees for failure to provide any supporting declarations or evidence that would support an award of attorneys’ fees. *See id.*

Papes has filed an administrative motion for leave to seek reconsideration, and a proposed

1 motion for reconsideration, of Judge Koh's ruling to the extent it may be construed as a bar to  
2 filing a motion for attorneys' fees under Federal Rule of Civil Procedure 54. *See* Admin. Mot.,  
3 ECF 615.

4 Rule 54(d) provides that a claim for attorneys' fees must be made by motion; that an  
5 attorneys' fees motion must be filed within fourteen days after entry of judgment; and that such  
6 motion must specify the statute, rule, or other grounds giving rise to an entitlement to attorneys'  
7 fees. *See* Fed. R. Civ. P. 54(d)(2). Papes asserts that final judgment has not been entered in this  
8 case, and thus the fourteen-day period to file a Rule 54 motion for attorneys' fees has not yet been  
9 triggered. Papes also asserts that although his prior motion for default judgment on Claim 9 stated  
10 that attorneys' fees should be awarded, that statement was not intended to be a Rule 54 motion for  
11 attorneys' fees.

12 It appears that Judge Koh construed Papes' statement that attorneys' fees should be  
13 awarded as a Rule 54 motion for attorneys' fees. In denying that motion, Judge Koh stated that  
14 "Papes does not provides declarations or affidavits containing a statement of the services rendered  
15 by each person for whom fees are requested and a brief description of their relevant qualifications  
16 as is required by Civil Local Rule 54-5(b)(2)-(3)." Prior Order Re Claim 9 at 31.

17 Having reviewed the prior motion for default judgment on Claim 9, and Judge Koh's  
18 ruling thereon, the Court finds that there was a misunderstanding as to whether the motion  
19 included a Rule 54 motion for attorneys' fees. Under these circumstances, the Court finds that  
20 reconsideration is appropriate under Civil Local Rule 7-9(b), permitting reconsideration based on  
21 the court's manifest failure to consider material facts or legal arguments. *See* Civ. L.R. 7-9(b)(3).  
22 Accordingly, Papes' administrative motion for leave to seek reconsideration, and motion for  
23 reconsideration, are GRANTED. Papes is not precluded from filing a Rule 54(d) motion for  
24 attorneys' fees in connection with Claim 9.

#### 25 **IV. MOTION FOR ATTORNEYS' FEES AND COSTS UNDER RULE 54 (ECF 614)**

26 Papes has filed a motion under Rule 54(d), seeking an award of attorneys' fees and costs in  
27 connection with Claims 2, 3, and 9. Papes is not entitled to attorneys' fees and costs in connection  
28 with Claims 2 and 3, as the Court has denied his motion for default judgment on those claims.



The Court therefore considers Papes’ Rule 54(d) motion only in connection with Claim 9 under the TVPRA, on which Judge Koh granted default judgment against ISM Vuzem d.o.o., ISM Vuzem USA, Inc., Robert Vuzem, and Ivan Vuzem in the total amount of \$611,000. The Court evaluates Papes’ request for attorneys’ fees in connection with Claim 9 herein. Papes’ Bill of Costs will be addressed by the Clerk pursuant to Civil Local Rule 54-1.

#### A. Legal Standard

The TVPRA provides that a victim “may bring a civil action against the perpetrator . . . and may recover damages and reasonable attorneys fees.” 18 U.S.C. § 1595(a). When calculating a reasonable attorneys’ fee under federal law, courts in the Ninth Circuit follow “the ‘lodestar’ method, and the amount of that fee must be determined on the facts of each case.” *Camacho v. Bridgeport Fin., Inc.*, 523 F.3d 973, 978 (9th Cir. 2008) (quoting *Ferland v. Conrad Credit Corp.*, 244 F.3d 1145, 1149 n.4 (9th Cir. 2001)). Under the lodestar method, the most useful starting point “is the number of hours reasonably expended on the litigation multiplied by a reasonable hourly rate.” *Hensley v. Eckerhart*, 461 U.S. 424, 433 (1983). The party seeking an award of fees should submit evidence supporting the hours worked and rates claimed. *Id.*

“In determining a reasonable hourly rate, the district court should be guided by the rate prevailing in the community for similar work performed by attorneys of comparable skill, experience, and reputation.” *Chalmers v. City of Los Angeles*, 796 F.2d 1205, 1210–11 (9th Cir. 1986). “Generally, the relevant community is the forum in which the district court sits.” *Barjon v. Dalton*, 132 F.3d 496, 500 (9th Cir. 1997). The fee applicant bears the burden of producing evidence, other than declarations of interested counsel, that the requested rates are in line with those prevailing in the community for similar services by lawyers of reasonably comparable skill, experience, and reputation. *See Blum*, 465 U.S. at 896 n.11. Further, the district court should exclude hours that were not reasonably expended. *See Hensley*, 461 U.S. at 434.

#### B. Discussion

Papes’ counsel, William C. Dresser, has provided a declaration in support of the motion for attorneys’ fees. *See Dresser Decl.*, ECF 614-2. The declaration includes billing records and summary charts of fees by major tasks. *See id.* Unfortunately, the Court cannot discern from the

1 declaration and appended charts which hours were expended on Claim 9, as to which fees are  
 2 recoverable, as opposed to Claims 2 and 3, as to which fees are not recoverable. For that reason,  
 3 the Court has no option but to deny Papes' motion for attorneys' fees without prejudice. Papes  
 4 may file a renewed motion for attorneys' fees, limited to those fees incurred in connection with  
 5 Claim 9, by June 20, 2023. Such renewed motion need not include the underlying billing records  
 6 previously submitted to the Court, but shall include a declaration of counsel and a summary chart  
 7 showing the hours expended on Claim 9 by biller and task. Papes need not reserve a hearing date  
 8 for a renewed fees motions; any renewed motion will be decided on the papers.

9 Papes' Rule 54 motion for attorneys' fees is DENIED WITHOUT PREJUDICE.

#### 10 **V. ORDER**

- 11 (1) Papes' fourth motion for default judgment on Claims 2 and 3 (ECF 613) is  
 12 DENIED. No further motions for default judgment on Claims 2 and 3 will be  
 13 entertained.
- 14 (2) Papes' administrative motion for leave to file a motion for reconsideration, and his  
 15 motion for reconsideration (ECF 615), are GRANTED.
- 16 (3) Papes' Rule 54 motion for attorneys' fees and costs (ECF 614) is DENIED  
 17 WITHOUT PREJUDICE. Papes may file a renewed motion for attorneys' fees,  
 18 limited to those fees incurred in connection with Claim 9, by June 20, 2023.
- 19 (4) This order terminates ECF 613, 614, and 615.

20  
 21 Dated: May 30, 2023

22   
 23 BETH LABSON FREEMAN  
 24 United States District Judge  
 25  
 26  
 27  
 28